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Designed to assist in developing a training program to equip unemployed and underemployed persons with the skills needed for helping patrolmen to provide community service, the manual discusses several aspects of implementing the training program in the first four chapters: "New Careers and Law Enforcement," "Relevance of New Careers to Law Enforcement," "Problems in Implementation," and "Guidelines for Patrolman Aide Training." The fifth chapter, "Basic Elements and Issues in the Administration of Justice" presents an introductory curriculum which consists of a common body of knowledge for law enforcement personnel, while the sixth chapter "Specialty Skills Curriculum" presents a second curriculum dealing with the practical skills required of the trainee for performance of specific duties of the patrolman aide. A manual for trainee's aide (VT 007 932) is a related document. (JK)

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# **NEW CAREERS**

## **THE PATROLMAN AIDE Trainer's Manual**

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**U.S. Department of Labor  
Manpower Administration  
Bureau of Work-Training Programs**

Prepared and published by:  
New Careers Development Program  
University Research Corporation  
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NEW CAREERS: THE PATROLMAN AIDE.

Trainer's Manual

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## PREFACE

This manual is intended for use in the New Careers training program for Patrolman Aides. The program is designed to equip unemployed or underemployed persons with the skills needed for helping patrolmen in providing services to the community.

The New Careers Patrolman Aide training program is based on the New Careers Training Model, which was developed by the Institute for Youth Studies of Howard University, Washington, D. C., and tested in several demonstration centers throughout the country. Briefly, New Careers is designed to:

1. Prepare unemployed or underemployed persons, through on-the-job training, specialty skill training, and presentation of basic curriculum, to assume entry-level, subprofessional positions in human service agencies
2. Motivate the employing service agencies to initiate and implement changes in their staff structures, supervisory patterns, and so on, to permit effective assimilation of New Careerists into the agencies



3. Encourage the employing agencies to develop opportunities for New Careerists for career advancement and to expand their capability to deliver services.

The goals stated above are achieved through the simultaneous presentation of the three components of the New Careers training model: generic issues in the human services and remediation, which trainees in all New Careers training programs cover in core group sessions; on-the-job training and supervision; and specialty training, which relates to a specific human service training program. This manual presents the two curriculums for the Specialty Training component of the Patrolman Aide training program.

The first curriculum presents basic issues that have been designed for use in all New Careers training programs for law enforcement personnel. A major tenet of New Careers is to provide a basic curriculum, or common body of knowledge, for all trainees so that they can realize maximum vertical and horizontal career mobility. For example, if a Patrolman Aide trainee feels that he is more interested in working as a Community Relations Aide than being on the street, he has only to be trained in the specialty skills of the new position. Retraining in the basic issues is not necessary. Consequently, his interest holds up, very little time is lost, and he achieves career mobility.

The second curriculum outline deals with the practical

skills required of the trainee for performance of specific duties at the entry level of a given position.

The first four chapters of this manual discuss several aspects of implementing a New Careers training program.\* Chapter I covers New Careers and law enforcement; Chapter II, the relevance of New Careers to law enforcement; Chapter III, problems in implementation; and Chapter IV, guidelines for Patrolman Aide training.

Chapters V and VI are the Patrolman Aide Specialty Training component. Chapter V includes curriculum outlines on "Basic Elements and Issues in the Administration of Justice" and Chapter VI outlines "Specialty Skills Curriculum." We recommend that a lawyer or a layman well versed in law present Chapter V and that a patrolman present Chapter VI.

The two trainers should coordinate their respective schedules to match the presentation of the curriculum in Chapters V and VI. (See Chapter IV for suggestions on scheduling.)

This manual was devised for use as a training key to The Patrolman Aide: Trainee's Manual. The trainee manual is in workbook format with a curriculum progression corresponding

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\*For a detailed overview of New Careers training programs, see New Careers: Generic Issues in The Human Services, (trainer and trainee manuals), University Research Corporation, 1424 16th Street, N. W., Washington, D. C.

to the trainers' manual. The questions in the workbook are not meant to test but to reinforce what the trainees learn. We hope that the trainee manual will evolve into a resource book, compiled by the trainees, that can be used by them after they complete the course. The program and curriculum outlines described in these manuals are meant for use as guidelines; we encourage trainers to adapt them to meet the individual needs of their communities. The New Careers model can expand and improve only through the creative presentation of the material outlined in these manuals. Every success and failure in the field will contribute to the body of knowledge and experience that is essential to achieving the goals of all New Careers training programs.

Acknowledgements are due to Professor Raymond Galvin, School of Police Administration, Michigan State University, and to Mr. George O'Connor and Mr. Nelson A. Watson of the International Association of Chiefs of Police, Inc., Washington, D. C. Carolyn Davis and Susan Thomas edited this manual.

Jacob R. Fishman, M.D.

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## A NEW CAREERS GLOSSARY

Some brief definitions to help readers understand the fundamental concepts of New Careers and the New Careers Training Model...

Human Services--Broadly defined as the fields of public service in which a person-to-person relationship, crucial to the provision of services, exists between the receivers and the providers of the services. Includes the fields of health, education, mental health, social services, recreation, law enforcement, corrections, rehabilitation, housing and employment.

Human Service Aides--Persons trained in New Careers programs to assume aide responsibilities and assist professionals in the delivery of human services.

Entry Training--The initial phases of the training program; required to prepare trainees to assume entry-level or first-level jobs.

Career Ladders--The vertical hierarchy of jobs in human services from the level of human service aide through the entire progression of career potentials.

Entry-Level Jobs--The first step in the career ladder, requiring minimal skill and education and open to pre-

viously uncredentialed persons. Sometimes called first-level positions.

Task Cluster--The conglomerate of tasks required in a particular job.

Generic Issues in Human Services--Those broad issues common to all human services, including 1) The Individual's Relationship to the World of Work, 2) His Relationship to People, 3) His Relationship to the Community, and 4) Individual Growth and Development.

Training in Generic Issues--Training and curriculum content related to the generic issues of human services.

Basic Training in a Particular Human Service Field--Training in the basic concepts and skills common to a particular human service field.

Job Skill Training--Training in the particular skills and knowledge required to do a specific job.

On-the-Job Training--Structured, planned and supervised training in the actual work situation during which the trainee performs the work and role required of him; i.e., learning through doing.

Remediation (or Remedial Training)--Training in the basic educational skills required to most efficiently learn and carry out job duties, including preparation for educational and Civil Service qualifications.



Core-Group Technique--A technique used by the New Careers trainers as they work with trainees in small groups, providing training, counseling, discussion and feedback related to job experiences as well as group identity and support.

Certification and Accreditation--Official, documented recognition by human service agencies or academic institutions (such as junior colleges) certifying New Careerists for the jobs they assume and/or leading to further academic or educational degrees.

Training for Supervisors and Trainers--A structured training program that includes consideration of:

- New Careers concepts,
- Restructuring the job hierarchy,
- Understanding the life styles of trainees,
- Supervisory models and skills, and
- Roles and relationships between trainers, supervisors and trainees.



## CHAPTER I

### NEW CAREERS AND LAW ENFORCEMENT

This manual has been prepared for use by trainers of patrolman aides and other aides preparing for subprofessional careers related to law enforcement. In addition to supplying trainers with specific information about patrolman aide skills, the manual is also intended to provide basic information about establishing and conducting a training program which is consistent with the principles of the New Careers program.

The underlying philosophy and basic structure of New Careers training is outlined in this chapter. In Chapter II, there is a discussion of the application of the New Careers concept to the field of law enforcement. In Chapter III, problems and issues that may arise in the implementation of programs are discussed. In Chapter IV, specific guidelines are presented for conducting patrolman aide training.

Chapters V and VI contain outlines of curriculum for use in conducting training sessions. The curriculum in Chapter V is related to the presentation of generic, or basic, issues in the administration of justice. Ideally, this part of the training course will be taught by a lawyer. This training is referred to as "generic issues in the administration of justice."

The curriculum outlined in Chapter VI is intended for presentation by a policeman and should provide trainees with a broad

understanding of department policy and the skills which they will be expected to master during on-the-job training.

### New Careers

Our society is confronted by a paradox. On the one hand, some sectors of the economy are increasingly short of trained, skilled manpower; on the other, there are many people who are unemployed or underemployed. The New Careers program is an attempt to solve this paradox by preparing previously untrained persons with the skills needed to meet manpower needs.

The guidelines recommended for training New Careerists are based on the practical experiences acquired over the past several years in setting up and operating New Careers programs in a wide variety of professions.

The New Careers program aims at reducing the shortage of skilled manpower within the "human services," or the public sector of the economy. Human services are so named because they comprise agencies which render person-to-person services. They include a wide variety of occupations and professions such as law enforcement, probation, legal services, health, child care, mental health, recreation, education, and community organization.

New Careers jobs are not limited to entry-level positions. As the aide gains experience and additional training and education, he is able to move up a career ladder into diversified jobs involving different roles, levels of skill and amounts of pay and autonomy.

New Careers aides generally work with, and under the supervision of, a professional. They receive preservice training of from three to nine months and thereafter take part in additional inservice training. Preservice training includes academic remediation to the level of the GED high school equivalency for those aide trainees who are not high school graduates when they enter the program. Continued formal education is encouraged thereafter. In general, salaries for subprofessional aides range between \$3,500 and \$5,000.

The New Careers program is administered by the U.S. Department of Labor under Section 123 (a)(4) of the Economic Opportunity Act of 1964 as amended (Scheuer Amendment) in 1967.

The goals of the New Careers program are threefold.

1. To provide career employment for persons who are unemployed, underemployed or who are employed at levels below their abilities.

New Careers has in common with other manpower programs the objective of providing job training and job skills to the poor. It differs from these other programs in its additional long-range purpose: to provide a combination of job and career development, training and education which will enable the poor to move up from dead-end, low level and temporary jobs into career opportunities in the human service occupations.

2. To provide additional personnel in occupations in

which there are shortages of professionals and other trained staff.

Between 1947 and 1965, 64 percent of all jobs were developed in the human services. However, recruitment of professionals has lagged far behind the need for their services, and the human services are currently suffering from manpower shortages that are expected to become increasingly severe in the future. Automation gives relatively little promise of compensating for these shortages in human service occupations. With proper supervision, training and support, subprofessional aides can perform certain skilled tasks at lower cost than can professionals. In so doing, they can also free the professionals to devote more time to the more demanding, professional aspects of their jobs. New Careers attempts to benefit human service agencies as well as persons in need of employment.

3. To improve the nature and delivery of human services to the poor.

Research and experience have shown that in general, the middle class receives better services than do the poor, especially those who are members of minority groups.

Because of their personal experience with poverty and those who are poverty stricken, New Careers subprofessionals are often in a better position than middle class professionals to understand and communicate with persons who are socially and economically

deprived. Thus, the combination of subprofessional aides and professionals can close gaps in services to minority groups, slum residents and other disadvantaged persons.

#### Additional Information

While New Careers is still too much in the experimental stage to have developed proven formulas for success, there is a body of information now available with respect to the kinds of problems likely to be encountered and types of approaches that are useful in avoiding or mitigating these problems. Trainers of patrolman aides, therefore, are urged to review these documents:\*

1. New Careers: Entry-Level Training for the Human Service Aide
2. New Careers: Position Descriptions
3. New Careers: A Manual of Organization and Development
4. New Careers: Generic Issues in The Human Services

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\*These documents are all available free of charge from the New Careers Development Program, University Research Corporation, 1424 - 16th Street, N. W., Washington, D. C. 20036



## CHAPTER II

### RELEVANCE OF NEW CAREERS TO LAW ENFORCEMENT

So far, few New Careers programs have been developed in law enforcement. Police have not as yet taken advantage of the potential contributions of the poor and minorities in subprofessional roles to the extent that professionals in other human service fields have. However, there is evidence that this situation is changing and that factors which contributed to the introduction of New Careers in other human services will have a comparable impact upon law enforcement.

#### Shortage of Police Manpower

Police departments are facing serious shortages of personnel. The President's Commission on Law Enforcement and Administration of Justice recently reported that, on a national average, city police departments are ten percent below strength. Its studies showed that 50,000 policemen should have been recruited in 1967 just to fill authorized positions available at that time. Shortages exist despite intensive efforts by police departments to overcome them. Even though police work offers one of the highest salary scales in the country and conducts an aggressive recruiting campaign, the Los Angeles Police Department fell far short of its recruitment goals in 1967, according to the New York Times (August 18, 1967). The Metropolitan Police Department of Washington, D.C. experienced similar difficulties despite bonus payments for successful referrals and intensive recruiting



in 23 cities and the Washington area.\*

These shortages reflect only present needs. If current trends continue, manpower problems in law enforcement will sharply increase during the next decade. The National Crime Commission has predicted, for example, that the volume of offenses will grow faster than the population. Thus, the rate of crime as well as its volume will continue to grow and thereby tend to outstrip normal increments to police manpower.

New strategies for coping with the deepening manpower shortage in law enforcement are needed. Experience in the police field as well as in other human service occupations indicates that New Careerists can perform routine police duties effectively and at lower cost than higher paid police officers. They can also free police officers to devote more time to the more difficult and more dangerous parts of their work.

#### Surplus Manpower

Located primarily in the slums and ghettos of America's cities is a growing pool of manpower which is largely unexploited but potentially available to police agencies. Inadequate or nonexistent work experience and job skills, substandard education, delinquency and criminal records and other handicaps

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\*Report of the President's Commission on Crime in the District of Columbia, 1966, p.159.

associated with poverty and minority group membership traditionally have made this group an undesirable resource for police departments. The proportion of Negroes on police forces, for example, falls far below the proportion of Negroes in the total population according to the recent report of the Riot Commission.\*

The New Careers program incorporates the results of several years' intensive experimentation in devising techniques needed to convert this population group into a manpower resource. The types of tasks which subprofessionals can effectively perform, the kinds of preservice and inservice training required to give them job skills, the recruiting techniques which are most effective with this group, and the difficulties which professional staff encounter when subprofessionals are assigned to assist them are among the many problems explored. The results of these investigations are very encouraging. While much more remains to be learned, New Careers projects have shown that many ghetto residents can be successfully employed in subprofessional roles.

Experience in employing the poor in New Careers jobs has occurred primarily in human services other than law enforcement.

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\*Report of the National Advisory Commission on Civil Disorders, 1968, p. 315 and pps. 321-322.

There is growing evidence\*, however, that police agencies, no less than hospitals, schools and welfare departments, can use New Careers methods to tap the manpower resources of the urban slums.

#### Alienation of the Police

It is a truism of our times that relations between the police and the urban poor and minority groups have reached the point of disaster. Profound misunderstanding, hostility and suspicion separate low-income Negroes, Spanish-Americans and other group members from the police. Recent riots, many of which were precipitated by routine and unexceptional police activity, nearly always included the police as targets for mob aggression. A more serious long-run consequence of police-community antipathy than the triggering of riots, however, is the erosion of the fundamental law enforcement process. In many areas of our cities, it is common for citizens to fail to report crimes and to refuse to cooperate with the police in their investigations. Sometimes, police are prevented from making arrests or are themselves violently attacked by bystanders. Also, it is precisely in the city slums, where there is the most crime -- and therefore the greatest need for

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\*Rationale for New Careers in the Administration of Criminal Justice. Washington, D.C.: University Research Corporation (1967).

effective law enforcement -- that police are most spurned.

Both the National Crime Commission and the Riot Commission strongly urged stepped-up recruitment of minority group members by police departments. Both commissions also recommended that city police departments develop New Careers positions (the Community Service Officer) not only as a recruitment device but also as a technique for improving police-citizen relations. Experience in using subprofessionals to bridge the gap of misunderstanding and distrust which often separates the professional staffs of schools, hospitals, and welfare departments from their pupils, patients and clients respectively is encouraging. It gives promise that New Careerists are potentially capable of helping the police to obtain greater community cooperation and support.

As the two Presidential commissions recognized, however, New Careers programs are no panacea. Improved relations between the police and the poor require a number of changes in police policy and practice. The introduction of New Careers constitutes only a single, though important, element in this process.

To summarize, New Careers may ameliorate law enforcement problems in three ways.

- (1) The New Careers program offers a potentially effective means of meeting police manpower shortages by

enabling departments to provide more and better police service for the dollar.

- (2) New Careers can open up a new and largely untapped manpower reservoir for police agencies.
- (3) The use of subprofessionals in police departments, along with other necessary changes, gives promise of lessening the hostility between police and people which, in low-income minority neighborhoods, seriously hinders law enforcement, causes crime and triggers riots.



## CHAPTER III

### PROBLEMS IN IMPLEMENTATION

For the reasons just summarized, the New Careers program offers police departments a new and promising approach to coping with major problems of manpower supply and service effectiveness. Experience in other human services demonstrates, however, that many difficult problems must be anticipated and overcome in order to realize the potential benefits of employing subprofessional aides. Difficulties inherent in setting up a New Careers Program in any agency include, for example:

1. Issues related to recruitment and selection.
2. The various social and psychological disabilities of the New Careerists.
3. Problems of specifying the content and methods of the aides' training.
4. The need to define the jobs to which the subprofessional aides will be assigned.
5. The necessity of establishing job sequences starting with entry-level positions.
6. The development of continuing training, educational and certification programs.
7. The many obstacles to gaining institutional acceptance of the New Careerists and their new roles.

These and other contingencies to be dealt with in establishing a New Careers Program are discussed in detail in the publications listed at the end of Chapter I.

In addition to these generic difficulties, the successful introduction of subprofessionals into police forces requires that certain problems be given special consideration.

1. The Relevance of Nonenforcement Duties to Police Work

A major issue in the police field is whether the primary police responsibilities of apprehending offenders and preventing crimes are made easier or are hindered by the many duties other than law enforcement that police customarily perform. The issue is relevant to New Careers development in law enforcement since many of these peripheral duties involve the police in providing services to people in trouble or with special needs. Policemen assist stranded motorists, rescue lost children, give directions to strangers, calm down quarelling couples and angry neighbors, provide emergency medical and ambulance service and recreation programs for disadvantaged youngsters. In many cities, police license taxi cabs and bicycles, operate the animal pound, solicit for charity, direct traffic and distribute parking tickets. In a few localities, police also act as census takers. In some parts of the country, they rescue stranded mountain climbers or wrecked sailors.

New Careerists could assist in discharging virtually all such duties. Yet many police officials believe that these respon-

sibilities properly belong to other agencies and that they seriously interfere with police officers' ability to perform their principal work of enforcing the law. According to this view, police should eliminate these duties rather than increase their capacity to perform them by employing New Careerists.

The contrary argument is that at least some of these activities directly contribute to law enforcement by making officers more conspicuous, and thus a more effective crime deterrent, and by making them more readily available to go to the scene of crime. Moreover, all such functions indirectly promote law enforcement by stimulating public esteem for and cooperation with the police. They also help to familiarize the police with the people they are responsible for protecting.

A chief of police\* has commented on this problem in connection with the role of police as census takers:

When I did the Boston survey [i.e., census] in 1962 I objected violently . . . but under present conditions [of deteriorated police-community relations], this provides a non-punitive contact between the police and the public, and it gives the police a tremendous amount of information about the people residing in the area.

So I'm not so sure I'd object as strenuously to this job being a police responsibility as I once did.

But it seems to me that it doesn't require a police officer to do it.

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\*Richardson White, Jr., and Arnold S. Trebach, Report on the Law Enforcement Workshop, Institute on New Careers. (Sponsored by the U.S. Department of Labor and U.S. Department of Health, Education and Welfare, March 3-6, 1968).

The National Crime Commission reported that it was unable to resolve this issue on the basis of empirical research. It concluded, however, that, in the absence of conclusive proof to the contrary, the performance of many of the nonprofessional and non-enforcement duties of the police help them to control crime. Although the Commission felt that some nonenforcement duties should be turned over to other agencies, it also stressed the value of police activities designed to protect the community against social injustice. It urged police to consider the possibility of devoting even more time to carrying them out. The Commission also recommended the creation of a new kind of subprofessional police officer, the Community Service Officer, to enable departments to better protect citizens from social injustices.\*

Clearly, no definite conclusion can be reached on the basis of evidence presently available. It also is clear that police not only must attempt to discover the actual consequences for law enforcement of their various activities, but also to refine and improve these activities on the basis of the best information currently available. Indications are that New Careerists can help lead to increase police efficiency and effectiveness in enforcing the law.

## 2. Police Professionalization and New Careers

Police commitment to professionalization of law enforcement

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\*President's Commission on Law Enforcement and Administration of Justice, The Challenge of Crime in a Free Society. (1967) p. 98.



occupations has grown rapidly in recent years. Included in the concept of police professionalization is the recruitment of better educated and more competent men. Police administrators may be expected to resist establishing New Careers positions if they interpret these positions as merely opening their departments to substandard personnel.

A related problem likely to be encountered is the resistance of lower echelon police officers. In many departments, standards of entrance are low; in some, even a high school diploma may not be required. Recruit training in many jurisdictions is sketchy and sometimes acquired only on the job under the supervision of an experienced officer. Few departments can afford extensive inservice training. However, because New Careers programs contemplate extensive training and academic remediation, some police aides may have as much or even more education and training than the policemen to whom they will be assigned. It is possible, therefore, that many police officers will find their professional status threatened under these circumstances and resist the introduction of subprofessionals.

Despite the mutual inconsistency of these views (i.e., on the one hand, patrolman aides are viewed as too subprofessional and, on the other, they are viewed as too professional), they both point to real problems which must be dealt with if new careers are to be developed in law enforcement. Police aides will be of little use if they are not properly trained, assigned to tasks



which are important in both their eyes and to the department, properly supervised, and enabled to move upward into positions of increased responsibility and higher pay as they prove themselves qualified.

Police administrators cannot expect a New Careers program to work if they fail to provide it with the support and resources which it requires. Similarly, to assign aides to police officers without giving those officers training in how to supervise such aides, without clarifying the differences between their roles and those of the aides, and without explaining how such aides will contribute to their own professional development can lead to unnecessary friction and resentment. Both sets of problems must be handled if the introduction of subprofessionals into law enforcement is to be accomplished. More extensive discussions of such issues and suggested tactics for dealing with them are contained in the publications listed in Chapter I.

Another problem related to police professionalization concerns the nature of the duties to which aides should be assigned. In particular, some police officials may be reluctant to assign aides to assist patrolmen on grounds that it would be much better to have high quality, well trained police officers perform the patrol function than to employ lower caliber subprofessionals. It may be urged that, because of the difficult and often dangerous human events with which patrolmen are required to cope on a routine basis, all police personnel should be well educated and in particular have an advanced knowledge of the social sciences.

While most officers at present lack these skills and education, it would be a step backward to replace them with aides who might not even have a high school education.

These concerns may well be justified though, at present, there is little evidence to support them. Moreover, there is good reason to believe that New Careerists may usefully be used as aides to patrolmen. For example, assignment of aides to patrolmen does not mean that the patrolmen are to be replaced by subprofessionals, but rather that they will be assisted by them. Thus, there will be no inherent loss of contact between the trained police officer and the public. Furthermore, a primary function of aides will be to assume many of the routine, non-hazardous duties of patrol, thereby leaving the patrolmen free to devote more of their time to their central responsibilities of preventing crime and apprehending offenders.

In addition, subprofessional patrolmen aides may add a new dimension to police capacity to cope with various difficulties involved in dealing with the public. New Careers experience in other occupations indicates that the aides' ghetto background often enables them to understand and communicate with low-income people better than their middle or working class supervisors whose values and life styles are different. It remains to be learned whether this experience will be repeated in the area of law enforcement. Police relations with minority groups and the poor have become so embittered that any limited solution, including New Careerists as aides to patrolmen, is not likely to

result in noticeable improvement. However, as the Crime Commission has pointed out, extensive use of subprofessionals to help patrolmen respond to ghetto residents' need for nonenforcement services is an essential component of the complex of innovations police must undertake.

### 3. Difficulties Involved in Defining the Police Aide's Role

Most departments lack clear policies governing the way policemen exercise their discretion on the street. Police manuals, general orders and other police statements seldom specify how police are to make the hard choices with which they are confronted every day. In many departments, official policy requires the officers to enforce all laws and to treat all offenders impartially. Realistic limitations of time and energy, among other factors, require the officer to ignore many violations and violators and to concentrate on others. Whether to intervene in a domestic dispute, whether to stop and frisk, and whether to arrest are among the basic decisions of police work. Yet only a few departments throughout the country have attempted to specify for their officers how they should make such judgements. The National Crime Commission has recommended that police administrators draw up detailed guidelines covering common situations in which police are confronted with difficult decisions.

The observance of detailed guidelines for police officers complicates the definition for supprofessionals' tasks since what the police aide should do under given circumstances must match

with and contribute to what his supervisors, the police officers, are expected to do. Trainers or other officers responsible for development of the aides' job descriptions will need to devise strategies for coping with the uncertainties of the aides' supervisors' roles. One method may be to develop initially a general description of the aides' tasks and thereafter to continue to refine it on the basis of the aides' on-the-job training experiences. Regular feedback from the aides' job supervisors as well as from the aides will be needed if this method is to be successful.

#### 4. Alien Images

One goal of the New Careers program is to provide employment and career opportunities for the unemployed and the underemployed. Another is to provide this group with more and better public services. A large proportion of the population which the program is intended to assist is composed of urban youth and young adults. The logic of the New Careers approach applied to law enforcement requires the recruitment of numbers of such persons into police departments. Yet it is precisely these persons who constitute the core of the "crime problem." Quite understandably, most police view ghetto youth as alien, criminalistic, uncooperative and potentially dangerous to themselves. In many departments, this attitude is likely to be translated into a general reluctance to accept any but the most carefully selected candidates. Moreover, for their part, ghetto youth generally are highly suspicious

of police and are likely to consider working for law enforcement agencies as going over to the enemy.

These suspicions cannot be overcome easily. However, if not abated they will effectively prevent the establishment of a police aide program. Police departments cannot apply their normal screening standards if they expect to recruit ghetto youth. In particular, some relaxation of rules automatically excluding persons with juvenile and criminal records is necessary. Special techniques for finding candidates for police aide positions will probably be necessary as well.



## CHAPTER IV

### GUIDELINES FOR PATROLMAN AIDE TRAINING

#### Nature and Purposes of this Manual

Various matters which must be dealt with before starting a program will be covered in this chapter. These include possible duties of patrolman aides, suggested qualifications of patrolman aide trainees, techniques for recruiting and screening trainee candidates, alternative career ladders and lattices\* for the aides and similar topics.

This manual should be used in conjunction with the Patrolman Aide Trainee's Manual, which contains a series of questions concerning the materials outlined in this manual. They are intended to assist the trainees in thinking through and absorbing the major areas of information to which they will be exposed during their training.

Both the Workbook and this manual are to be treated as general guides to the information needed by patrolman aide trainees. Supplementary materials may have to be developed. Moreover, each program supervisor should take responsibility

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\*See the Glossary for the technical meaning of "career ladders," "career lattices" and other words and phrases in the New Careers Program.

for adopting the curriculum outline contained in this manual and the questions contained in the workbook to the special requirements of his particular training program. Departmental recruitment policies and regulations or existing practices of the patrol division, for example, may be inconsistent with some of the material contained in these documents. Depending on the nature of these differences, it may be necessary to adapt the content of the curriculum outline and the workbook. On the other hand, a patrolman aide program necessitates some adjustments on the part of the sponsoring police department if it is to succeed. The trainer should be alert in order to identify changes which must be made, both in the training materials and in his department's procedures and policies. In the latter case, he should take responsibility for bringing to the attention of his supervisors those procedures which require re-examination and possible change.

Chapter V of this manual, "Basic Elements and Issues in the Administration of Justice," provides an overview of the civil, criminal, juvenile and administrative systems of justice; how they operate; their interrelationships; and their relevance to the problems of the poor. The workbook for Patrolman Aide trainees contains questions in these areas. Trainers responsible for the skill training of patrolman aide candidates (Chapter VI) should coordinate their portion of the aides' training with the

training to be offered in the basic elements and issues of the legal system (Chapter V).

One of the most important prerequisites for a successful New Careers program is the definition of the duties for which the aides are to be trained, and to which they will be assigned upon successful completion of their training. Closely related is the question of delineating the aides' authority and the circumstances under which it may be exercised. The following section suggests possible powers and duties of patrolman aides. It also outlines various factors which may be relevant to the determination of the aides' tasks and authority.

#### Suggested Duties and Authority of the Patrolman Aide

1. Factors Relevant to the Definition of the Patrolman Aide's Role.

A major premise of the New Careers Program is that by employing subprofessionals as aides to professional staffs, public agencies can operate more efficiently and more effectively. Subprofessionals can relieve professionals of their more routine duties, thereby freeing them to devote greater attention to handling the kinds of tasks for which their specialized training equips them. Many police departments already have acted on this principle by creating special roles for meter maids, school crosswalk guards, youth recreation program officers and the like,

which free sworn personnel to spend more of their time on the basic police duty of law enforcement. These and similar duties may be assigned to patrolman aides.

Another basic premise of the New Careers Program is that the aide's background may prove advantageous by bridging the gap of misunderstanding and hostility that often separates public agencies from the community. With few exceptions, relations between urban police forces and low-income citizens are at best abrasive, and at worst at the point of open conflict. Because of their first hand knowledge of racial discrimination and poverty, New Careerists often are more sensitive to the problems of life in the slums and are better able to communicate with ghetto residents than the professionals with whom they work.

Creation of a New Careers program is no cure-all for police-community relations problems. However, these difficulties may be reduced by giving patrolman aides responsibility for helping to develop and implement solutions to conditions causing friction between the department and the ghetto. Their ability to talk the same language as ghetto residents may make them especially effective in "cooling" potentially troublesome situations.

Although the New Careers Program has shown that disadvantaged persons can be successfully trained to fill subprofessional

positions at a high level of competence, it also recognizes that such persons usually are subject to certain handicaps which have to be taken into account in designing their tasks. Chief among these is their relative lack of formal education and training. However, this characteristic usually is of less importance in law enforcement than in other occupations. For example, most departments require only a high school education for their regular personnel. Although candidates for patrolman aide may enter the program with substantially less education, the remediation component is intended to enable them to achieve a G.E.D. equivalency. Probably of greater significance is the fact that other customary departmental selection standards must be waived or lowered in order to recruit New Careerists. These include the usual height, weight, health, eyesight and age requirements which are intended to insure that police officers will have the physical equipment necessary for coping with the dangers, long hours and other rigors of their job. However, insofar as it is anticipated that patrolman aides will not meet such standards, their duties and powers should be designed so as not to expose them to circumstances which will unduly jeopardize their health and safety.

2. General Description of Suggested Powers and Duties of Patrolman Aides.

Based upon the preceding considerations, it is suggested



that the patrolman aide be assigned to some or all of the following tasks. Each department should modify the aide's position description in accordance with its own needs and circumstances.

The patrolman aide will be assigned to the patrol division where he will assist patrolmen in the performance of the following general functions: surveillance and crime prevention, the control of vehicular and pedestrian traffic, the handling of juveniles; and the rendering of various services to the public. He will be in uniform. His uniform and its insignia, however, will differ from those of the regular members of the force. He ordinarily will be assigned to work in low income neighborhoods. He may operate on foot or in a vehicle.

The aide will be a sworn member of the department and therefore will possess the power to issue citations and serve warrants. He will not be authorized to make arrests nor will he assist other officers in making arrests, except under emergency conditions. He will not be armed. However, he will be trained in the proper procedures for making an arrest, in self-defense tactics and in techniques for subduing an unruly suspect so that if emergencies arise, he will be able to act appropriately. He will not be assigned to duties involving substantial risk of serious injury, such as investigating felonies-in-progress, searching persons suspected of serious

crimes, or stopping fights. He may assist a patrolman in transporting and processing a suspect, however, and if circumstances so require, may accompany the patrolman in a high-speed auto chase of a felony suspect.

The patrolman aide will not undertake the more technical aspects of police work involving detailed knowledge of the substantive criminal law, rules of evidence and the laws governing search and seizure or advanced investigative techniques. In these areas, the aide's principal contribution will be to relieve the patrolman of many of his more routine, nonhazardous functions. The patrolman aide will assist patrolmen in a number of their miscellaneous duties, such as preventing crime and delinquency, providing various emergency services and in promoting increased public understanding of, and cooperation with, police activities.

### 3. Specific Duties of the Patrolman Aide.

The recommended principal duties of the aide come within four basic areas of patrol activity: (1) surveillance and preliminary investigation; (2) delinquency prevention; (3) public services; and (4) control of vehicular and pedestrian traffic. Within these general areas are a number of specific duties which patrolman aides may perform. As previously indicated, each department should consider the appropriateness and utility of these suggested duties and make such modifications as

may be necessary.

A. Surveillance and Preliminary Investigation.

1. Accompanies patrolman on foot or in police car. If patrol is motorized, assists him in maintaining radio contact with the dispatcher. Uses telephone communication where appropriate. May relieve patrolman at the wheel.
2. Assists officer in spotting persons whose appearance, action or location is suspicious and assists him in keeping such persons under surveillance. May aid officer in questioning suspects.
3. Helps officer check drive-ins, taverns, athletic events, crowds and other places where criminals or delinquents tend to congregate or where trouble frequently starts. Depending on the risk of danger involved, may accompany the officer while he inspects such locations or may remain in or near police car. Will radio for assistance if needed.
4. Accepts reports of law violations and routes them through proper channels. May perform preliminary investigation in cases involving minor offenses.

5. Becomes familiar with people on his beat who are likely to obtain information useful to law enforcement. Encourages them to report this information to himself or to other members of the department.
6. Aids patrolman in checking the physical security of business establishments, vacant dwellings and other premises on his beat.
7. Accompanies patrolman to the scene of reported crime or accident. In the case of a felony-in-progress call he remains out of danger until officer has determined that no substantial risk of injury remains.
8. At scene of accident or crime, helps patrolman give first aid to any persons who may be injured. Telephones or radios for ambulance, if needed.
9. Helps locate and identify witnesses and complainants. Records correct names, addresses and telephone numbers. May obtain and take notes on statements of witnesses. When officer is otherwise occupied, notifies dispatcher of the seriousness of the crime or accident and gives him whatever information is available which may assist in apprehending the suspect. Helps patrolman calm the victim and witnesses.

10. Assists the patrolman in maintaining the scene of the crime or accident and protects the evidence until the arrival of detectives, evidence specialist or accident investigation unit. In the case of an accident, guards the vehicles or other property of the victim and keeps bystanders away. Also calls tow truck to remove vehicle, if needed. Removes debris if it is creating a traffic hazard.
11. When a vehicle containing a wanted criminal or a suspected stolen car is observed, aide records license number, description of car, and number of occupants. Notifies dispatcher and gives him information. Remains in car after suspect has been stopped and notifies dispatcher of location of stop.
12. During arrest and search of suspect, aide remains in or near police car so that he can notify dispatcher if additional help is needed or if suspect escapes. Calls for patrol wagon to transport prisoner. Obtains names and addresses of persons who have witnessed the arrest.
13. If crowd gathers on scene of arrest and shows signs of misunderstanding the reason for the



arrest or the tactics of the arresting officer, the aide allays suspicions of "police brutality" by explaining what the officer is doing and the reasons for it.

14. Takes custody of all articles removed from prisoner which can be used as a weapon. Searches police car and places in trunk any tools or other articles which could be used as a weapon when the prisoner's behavior or the seriousness of the crime warrants precaution. If additional police officer is not available to help patrolman transport dangerous prisoner, aide drives while officer sits in back with prisoner.
15. Assists patrolman in maintaining order at athletic events, theaters, movies and other places where crowds gather. Assists patrolman in maintaining order at picket lines, demonstrations and other protests. Is not assigned to situations likely to involve serious disorder.

B. Prevention of Delinquency.

1. Gives talks to youth groups and school children to explain curfew, anti-loitering, liquor control and other ordinances particularly affecting youth. Describes police and juvenile court procedures

and encourages respect for the law and a cooperative attitude toward police.

2. Participates in PAL or similar activities.  
Assists in developing and supervising special events programs for children and youth. Gets to know the youngsters on his beat.
3. Contacts juvenile gangs and helps them to organize constructive activities such as dances, athletic contests, and youth patrols.
4. Helps disadvantaged youth find jobs and assists them in making use of community resources, such as job training and placement agencies, credit unions, and health clinics.
5. Gets children who have been in some trouble with the law involved in constructive programs.  
Encourages parents to extend greater control over children who are getting into trouble.

C. Public Services.

1. Watches out for, and accepts complaints concerning a wide variety of community hazards and nuisances, such as uncollected garbage, broken sidewalks, burned-out street lamps, locked playgrounds, foodstuffs unhygienically displayed, unsafe buildings, etc. Reports such problems

to responsible agencies or persons. Notifies aggrieved parties of other sources of assistance, such as a neighborhood legal aid program or citizen action group.

2. Supplies citizens with a variety of information, such as the location of streets and buildings, directions to points of interest, subway routes, etc.
3. Helps families who are having recurrent domestic problems obtain help by referring them to community agencies, such as alcoholic clinics, mental health clinics and anti-poverty agencies.
4. Helps patrolmen warn merchants of the techniques used by bad-check passers, shoplifters, counterfitters, etc.
5. Helps patrolmen inspect the facilities and operating procedures of business offices, banks and other places having large sums of money or valuables. Helps patrolmen recommend methods of improving the security of such places.
6. Assists patrolman in handling drunks. Where appropriate, helps get them home or to a shelter or clinic, if such facilities exist.

D. Traffic Control.

1. Directs vehicular and pedestrian traffic at

intersections.

2. Helps patrolman spot moving vehicular parking violations. Issues warnings of summons, but does not make arrests.
3. When at the scene of an accident, the aide assists the patrolman in giving first aid, performing the preliminary investigation, preserving the accident scene and interviewing witnesses and participants. Calls for the ambulance or tow truck and, on its arrival, assists the driver if necessary. Protects the victim and his possessions if he is unable to care for them himself. Arranges for impounding of victim's vehicle when necessary. Cleans up debris hazardous to traffic.

#### Suggested Qualifications of Patrolman Aide Trainee

##### 1. General Purposes of Suggested Qualifications.

Police are making rapid strides toward professionalizing their occupation. One aspect of this growing professionalization is the tightening of personnel qualifications. A number of departments currently require at least one semester of college and, in most sections of the country, patrolmen must have a high school diploma. Moreover, the great majority of departments require recruits to meet high medical and physical standards and

to be free of delinquency and criminal records. A byproduct of this development, however, is that police work has become correspondingly inaccessible to the poor. In past generations, of course, men of humble origin provided the prime source of manpower for police departments. In many eastern cities, for example, immigrant Irish, and later Italians, went into law enforcement in large numbers. Now, only small numbers of their contemporary economic equivalents, the Negroes, Puerto Ricans, and Mexican-Americans, are able to enter police work. Their exclusion results from the fact that while police departments have raised their entry requirements, there has been no corresponding improvement in the ability of the poverty-stricken to compete for the available openings. As a result, opportunities in law enforcement are largely confined to those groups who have moved up and out of poverty.

The immense difficulties involved in law enforcement require departments to obtain the best possible personnel. However, there is substantial evidence that when the policeman on the beat no longer is from the neighborhood which he patrols and when he no longer knows personally and intimately the people whom he is assigned to protect, law enforcement often suffers. At best, there may be a reluctance on the part of the residents to trust the motives and integrity of the police. At worst, this suspicion results in ghetto dwellers attempting



to "police" the police, in the misinterpretation of legitimate police action as "police brutality," in frequent verbal abuse and, not uncommonly, physical attack by private citizens on the police.

The use of the patrolman aide constitutes one practical step which departments can take to continue their drive to professionalize, while at the same time regaining the confidence of the ghetto community. This outcome will not be achieved, however, unless appropriate qualifications for the patrolman aides are established. Four threshold requirements are essential to the development of such standards. The first is that qualifications for police recruits cannot be used to screen patrolman aides. If patrolman aides are required to meet all current qualifications of the more highly professionalized departments, the result is predictable -- few, if any candidates, will qualify. Therefore, selection standards for patrolman aides must be lower than those applicable to police officers. Second, the lowering of qualifications for aides must be combined with methods of upgrading, so that some aides may have a reasonable chance of eventually qualifying as patrolmen. Academic remediation and core group counseling, therefore, are essential parts of a New Careers training program. In-service training, continued formal education and other techniques of upgrading are described in the publications listed previously.

Third, the re-examination of patrolman standards to determine if they are fully appropriate to the special demands of that particular complex of police duties is also required. It is possible, for example, that the department's height and vision requirements for patrolmen are unreasonably high or are applied too inflexibly. As with the second requirement, modification of unnecessarily restrictive qualifications will increase the likelihood that those patrolman aides who distinguish themselves as aides will be eligible for promotion to patrolman. This will operate not only in their interest but also in the department's, by giving the aides the best incentive for doing a good job -- the prospect of promotion.

Finally, the qualifications for patrolman aide should not simply be lower than those of patrolman; they also should be different. How much they differ and the nature of the difference will depend on the emphasis given to using the aide to perform duties other than assisting the patrolman in the basic patrol functions of surveillance, investigation and apprehension, and in traffic regulation. It has been suggested that as part of his patrol duties, the patrolman aide be assigned to providing miscellaneous services to the public and to developing and conducting a variety of delinquency prevention activities. The resulting benefits of improving public cooperation and trust, and of indirectly easing the problems of law enforcement in the ghetto, have been noted. However, not everyone who

has been raised in poverty will have the talent needed to perform these types of duties effectively. Therefore, the qualifications for patrolman aide should include those aimed at selecting individuals with special aptitudes for those tasks.

In short, existing qualifications for police officer recruits are intended largely to eliminate the unfit. Their primary aim is to screen out. This principle cannot be ignored in designing qualifications for aides. It must be modified, however, by a concern for screening in low-income persons possessing the potential to perform police functions of a specialized but important nature.

2. Suggested Specific Qualifications for Patrolman Aide Trainees.

- A. The aide trainee should be recruited from low-income, high crime rate neighborhoods of the type in which he will serve. Local residence should not be required, although preference may be given to local candidates. Moreover, if the department has a local residence requirement for patrolmen which, after review it believes is desirable, the aide should be encouraged to live within the jurisdiction, so that he will not be ineligible for promotion to patrolman.

- B. The trainee aide should be of the same racial or ethnic stock as the majority population residing in the high crime rate neighborhoods over which the department has jurisdiction.
- C. The New Careers program requires aide trainees to be at least 21 years of age. However, a department not dependent on the New Careers program for support of its patrolman aide training may wish to admit younger candidates who are physically and mentally mature. Older candidates may be accepted, but emphasis should be placed on recruiting younger men.
- D. He should not exhibit signs of gross emotional instability.
- E. He should possess a fifth grade level reading skill. Academic remediation during the training program will bring most aides up to the high school level.
- F. The trainee aide should be honest and possess integrity. A minor criminal or even serious juvenile record should not be automatically disqualifying. Opportunities for contact with the law are numerous in the slum and do not necessarily indicate permanent defects of

character. The circumstances surrounding the offense and other information relevant to determining the individual's moral qualities should be investigated. Additional screening can be done during the on-job-training phase of the training program.

- G. Because the aide will spend much of his time informing, questioning, directing and otherwise dealing with people, he should be able to express himself well. Although it is desirable that he be able to communicate easily with better educated persons, it is more important that he is capable of communicating effectively with youths as well as adults in the neighborhoods to which he will be assigned.
- H. The trainee aide should feel himself to be part of his neighborhood. Through close association or personal experience, he should know the hardships of poverty, the conditions which encourage delinquency and crime and the factors which create suspicion and hostility between the police and the community.
- I. He should be respected and liked by his neighbors and associates. If possible, he should be a leader.



J. Because the aide will not be assigned to duties involving a high risk of physical danger, some adjustment of the department's physical and medical requirements for patrolmen should be considered. However, priority should be given to candidates who do meet such standards so as to recruit aides who can move up to patrolman if their performance as aide warrants this promotion.

#### Suggested Recruiting and Screening Methods

The recruitment program must be conducted in the neighborhoods from which the aides are to be drawn. This means that usual departmental recruiting methods, such as word-of-mouth contact by police officers, requests filed with employment agencies, and newspaper and radio advertisements will have to be modified, so as to reach the target population. For example, advertisements should be placed with those local radio stations and newspapers which cater to low-income, minority groups. In addition, in order to obtain candidates who meet the standards for patrolman aide, it is likely that the department will need to make special efforts to overcome the tendency of many ghetto dwellers to view police work with skepticism. In this connection, it is recommended that the department request community agencies,

such as a civil rights organization, churches, settlement houses and antipoverty agencies to assist in recruiting. If the department has citizen advisory committees in the neighborhoods where the recruiting will occur, their help should be sought.

In order to gain the cooperation of these community groups, the department should explain the nature and purpose of the patrolman aide program. It also should instruct the group in the qualifications the aides must possess. This will minimize screening by the department of unqualified persons and will reduce chances for misunderstanding and friction between the department, the organization, and the community.

In addition to the methods cited above, we recommend the following techniques for recruiting. They are designed to reach the greatest possible number of residents in a target community.

1. Posters, similar to Armed Forces recruitment posters, could be designed to attract and inform potential candidates. They could be placed in stores, community centers, police stations, Armed Forces recruitment centers, schools, and bus and subway stations.
2. A patrolman aide recruit center could be opened in the community, either in a centrally located store front or in the central police station itself. The center could dispense pertinent information about the program and do the initial screening of applicants. It could also

conduct a remedial program having specific short-range goals, which would stimulate interest and indicate good faith on the part of the police department.

3. Police Boys Clubs could be excellent vehicles for recruiting. Informal meetings between recruiting officers and club members would introduce the program to those who are interested and eligible. The Police Boys Club representative could also recruit through sandlot teams and informal neighborhood clubs.
4. Police could tour high schools to inform and recruit potential dropouts, placing emphasis on the remediation component of the program.
5. Comic books could be printed describing the program. These would be available free in dance halls, bars, drug and liquor stores, neighborhood centers, and churches.
6. Match books with information about the program could be distributed in the target community.
7. Flyers about the program could be printed and distributed in stores, schools, and on buses and subways.

The department should use a sequence of screening tests, beginning with those that are quickly and inexpensively applied. These will include checks on age, height, criminal records, and ability to read and write at the fifth grade level. Medical examinations, intelligence and emotional stability tests, character

investigations, interviews, and other costly procedures should come after the elimination of candidates not meeting the basic qualifications.

The customary clinical techniques for measuring factors such as intelligence, mental health, and aptitude have been standardized on middle-class rather than disadvantaged populations. When applied to persons raised in poverty, the risk of obtaining misleading results is increased. Furthermore, research on New Careers programs has shown that it is very difficult to predict aides' success or failure on the job, no matter what tests are used to screen the aide candidates prior to training.\* A related research, which is more encouraging, found that aides' behavior in the OJT phase of training is a good predictor of success or failure on the job.

It is suggested that the department use screening procedures that differ from customary police recruit practices in two respects. First, eligibility requirements for trainee candidates should be applied with relative liberality, with emphasis given to screening in, rather than eliminating aide trainee candidates. It is advisable to expect a high percentage of candidates will drop out or be disqualified during the screening process. The practical consequence, therefore, is that from three to four times as many

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\*Training for New Careers, Washington, D. C.: U.S. Government Printing Office (1966) pp. 46-47.

candidates should be recruited as are expected to complete their training. Second, the screening process should not be viewed as taking place exclusively or even primarily prior to training. Instead, the training itself should be treated as part of the selection process, with major weight being given to the aides' performance in the on-the-job aspect of their training.

One additional point needs to be mentioned. The department should carefully explain to the aide candidates the standards and selection processes which it plans to apply. It is especially important that men who are rejected be notified of the reason. These procedures will tend to allay possible suspicion that racial discrimination is the cause of their rejection.

#### Suggested Career Lines

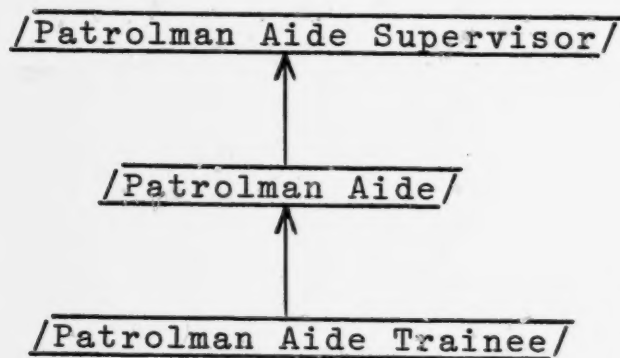
Many police forces are unable to fill their presently authorized positions. As is discussed in Chapter I, evidence indicates that this manpower shortage will increase rapidly in the next decade. Perhaps the greatest value a patrolman aide training program or other New Careers programs can have for law enforcement, therefore, is its opening up of a new source of badly needed personnel. To fully use this potential, however, a department must develop one or more sequence of positions



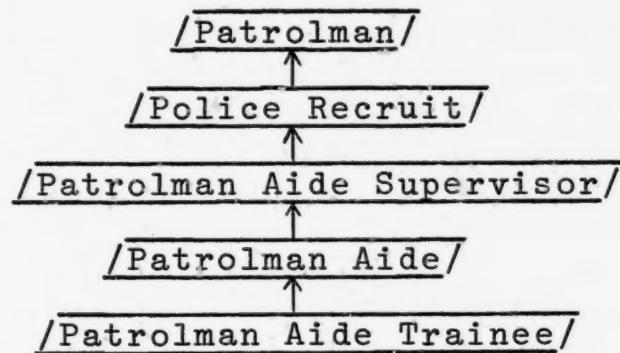
leading upward from the entry-level position of aide to positions of substantially greater authority and responsibility. Moreover, without the incentive of realistic possibilities for promotion to such positions, it will be difficult to recruit qualified aides and to keep them in the program.

The minimum career ladder consists of patrolman aide trainee, patrolman aide, and patrolman aide supervisor. An aide would become eligible for the aide supervisory position after he had demonstrated outstanding capability as an aide and indicated through his job performance that he possessed leadership potential. His duties might include supervision of one or more aides in the performance of such routine duties as checking parking meters, guarding school cross walks, distributing crime prevention literature and supervising police athletic and recreation programs for juveniles. He might be assigned to more challenging duties than those of regular aides, such as following up on domestic disputes to get the parties to make use of suitable community resources, notifying public agencies of citizen complaints regarding their services, or involving delinquent and hard-to-reach gangs in constructive activities. He might be given assignments which require him to work outside the direct and immediate supervision of a police officer. He might also be used to assist in the in-service training of the regular aides or to aid in the pre-

service training of patrolman aide trainees. The patrolman aide supervisor would be paid at a higher rate than regular aides and would wear insignia indicating his higher rank. Graphically presented, this minimal career ladder would be as follows:



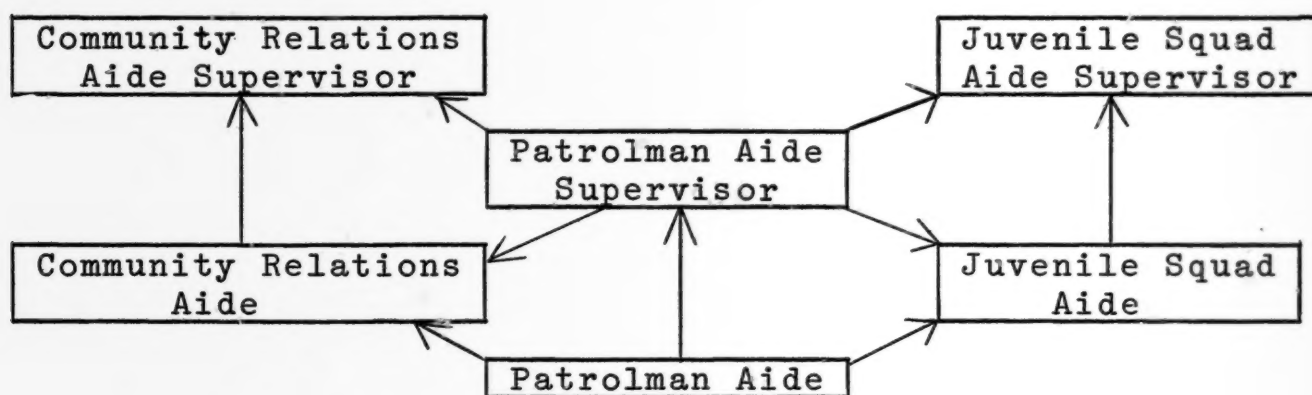
It is also possible for the patrolman aide job sequence to feed into a department's regular hierarchy of jobs. By linking its New Careers program with its normal recruitment procedures, a department would be able to use the program as a technique for recruiting police officers. Under such an arrangement, patrolman aide supervisors able to meet the selection standards for police officer recruit would be promoted to patrolman recruit or other entry positions. From that position they would be eligible to move up through the ranks in the same manner as other officers.



Because of the specialized standards used to select patrolman aide trainees, however, it is likely that relatively few subprofessionals will be able to qualify as police officers. Therefore, although this linkage of subprofessional and professional career ladders potentially creates excellent career opportunities in law enforcement for subprofessionals, its actual benefits probably will be limited. In addition, the absence of good, long term prospects in police work may deter qualified candidates from applying and cause a rapid turnover among those who do enter the program. As a consequence, it may be useful to supplement this career ladder with additional job sequences up which the aides can move as they demonstrate competence and obtain the necessary training and experience. These other subprofessional position series would parallel, rather than lead into, the regular police structure. They would require related though different skills, and would provide the aides with diversified opportunities in law enforcement work. Police departments would benefit by being able to relieve their more highly paid and trained staff of routine duties in a

variety of areas, in addition to patrol operations.

To illustrate this subprofessional structure, sequences of aide positions might be created in the Juvenile Squad, the Community Relations Unit or the Traffic Division. Patrolman aide supervisors who excel, or who are especially interested in one of these areas, might move laterally into an entry-level position in such a unit. Patrolman aides, on the other hand, who merit a promotion could be moved up to patrolman aide supervisor or to an entry position in a unit outside the Patrol Division. The possible patterns of movement are illustrated in the diagram below.



Moreover, the possible job sequences for subprofessionals are not limited to those activities which sworn officers normally perform. They also include various administrative and technical functions which, in many departments, are performed by civilians. For example, subprofessional aides might assist in the collection and storage of evidence; in identification procedures, such as photographing, fingerprinting and

record checking of suspects; and in the performance of routine crime laboratory functions. A wide variety of career ladders for subprofessionals in law enforcement is thus possible.

#### Suggested Qualifications of Patrolman Aide Trainers

1. The trainer should be an experienced police officer with the rank of sergeant or above.
2. He should understand the potential contribution of nonprofessional personnel to police work.
3. The trainer should be familiar with the training resources which may be available within his department and in his community.
4. He may be a member of the department's training division. However, because of the unique problems likely to be encountered in training aides, it may be preferable to disregard official status and select the trainer primarily on the basis of his individual aptitude.
5. The trainer should understand and enjoy working with members of low-income and minority groups.
6. He should be receptive to new approaches to the methodology and content of training and be creative in devising such approaches.
7. He should enjoy teaching.



In addition to the department's training staff, consideration should be given to using other personnel within the department to present materials in selected areas. For example, a top official might explain the overall organization and operation of the department; a representative of the detective division might describe the principles of preliminary investigation and their effect of subsequent investigation; and a communications officer may be asked to discuss procedures for using police radios. Persons in the community, who are not police, may be better qualified than the department's personnel to instruct certain courses. These may include a first aid expert, a representative of a civil rights organization and a person experienced in working with ghetto youth. It would be advisable to seek the assistance of the district attorneys office in presenting the curriculum outlined in Chapter V.

#### General Guides to Developing and Implementing a Patrolman Aide Training Program

The establishment of New Careers in law enforcement is still in its first stages. Tested and proven techniques for handling the many problems which must be dealt with have not as yet been devised. However, sufficient experience has been accumulated to warrant urging that several matters be given special attention

in planning and running a patrolman aide training program.

1. Planning.

Give yourself enough lead time to set up the program properly. Several months will almost certainly be required and possibly many more. A great deal of work must be accomplished before trainee candidates are chosen and the training begun. Among the major preparatory steps which must be taken are the following:

- a. Design a detailed job description for the patrolman aides and obtain authorization for a specified number of patrolmen aide positions to which the trainees will be immediately assigned upon the completion of their training.
- b. At least tentatively identify the next higher position in the department to which qualified aides will be promoted.
- c. Specify the supervisory functions of the patrolmen to whom the aides will be assigned in the on-the-job training phase of the program as well as other changes in their duties.
- d. Draw up, in detail, the qualifications for the patrolman aide trainees.
- e. Determine the procedures to be followed in recruiting the aide trainee candidates.

- f. Contact community groups and organizations to familiarize them with the patrolman aide program and request their cooperation in recruiting.
- g. Develop the steps in the screening process and the techniques which will be used.
- h. Locate persons in and outside the department who will participate in the various phases of the patrolman aide training and arrange for their participation.
- i. Work out in detail the content, order of presentation, and related activities of the skill training curriculum.
- j. Coordinate the skill training with the other components of the program.
- k. Obtain the necessary equipment and supplies, including training materials, trainees' uniforms, flyers and other recruiting documents.
- l. Instruct the patrolmen who will supervise the trainees during the on-job-training aspect of the program in their supervisory duties and explain to them the goals, content, procedures and the anticipated benefits and problems of the patrolman aide program.
- m. Obtain the necessary authorization and clearances to achieve all of the above steps.

## 2. Job and Career Development.

There must be real jobs to which the aides will be assigned upon completion of their training. Without such jobs in existence at the time of the training's commencement, it will be all but impossible to provide a training program which will give the trainees the specific skills which are essential to their effective performance on the job. Another danger in starting the training program before the aides' positions have been finally approved is that delays in obtaining the approval may be encountered. Delays may necessitate marking time until positions become available with consequent loss of trainee interest and possible exhaustion of training program funds before the essential elements in the program can be covered. Worst of all, delay may require disbanding the trainees and thereby wasting the resources which the department already has put into the program.

In developing the aides' future jobs, it is important to define the exact skills which they will need and the functions which they will perform with as much detail as possible. This will facilitate the development of the job skill curriculum, the redefinition of the supervising patrolmen's duties and the effective use of all staff involved in the program. Also, make sure that you know exactly how many aide positions your department has approved, their duration, if authorized on a temporary

basis, and the salaries which the aides will be paid as trainees and on the job. Find out if all civil service, budgetary and other administrative requirements have been met.

As stressed in other sections of this manual, the positions to which patrolman aides are assigned should neither be menial nor terminal. That is, they should be defined so as to enable the aide to make a significant and personally satisfying contribution to the effectiveness of the department's activities. They also should hold the potential for advancement. The latter requirement necessitates the development of additional, more advanced positions. As previously discussed, some of these may lead to the position of patrolman and thereby open to the aide the promotional sequences traditionally available within the department. Others may lead to increasing specialization and greater responsibility within a subprofessional hierarchy which, at its higher levels, may parallel lower level regular police ranks.

The details of higher positions to which qualified aides may be eventually promoted should be worked out on the basis of the department's experience in using subprofessionals to assist patrolmen. It would be premature, in fact, to develop in definitive detail, additional roles for subprofessionals until the department has acquired confidence in the patrolman aide function. Nevertheless, the groundwork for creating career



ladders should be begun early in the program and tentative higher positions defined which can be modified as the department gains greater understanding of the benefits and pitfalls involved in using aides.

### 3. Clarification of Responsibilities.

It is very important to anticipate and deal with the difficulties which the patrolmen-supervisors may have in working with subprofessionals. For example, they are likely to be skeptical that the same kind of people who live in high crime-rate areas can be trusted to assist them in performing responsible duties. They may feel that using aides represents a step backward instead of a means of increasing police professionalization. They also may feel that their chances of promotion are threatened by having to take on responsibility for supervising subprofessional aides. They may resent having to engage in one more activity which interferes with their primary work of apprehending offenders. Undoubtedly, they will have other objections also.

These problems cannot be minimized. Unless effectively handled, they will result in such hostility and anxiety on the part of the patrolmen that the entire program will be jeopardized. Moreover, these problems will not be solved by the issuance of departmental orders compelling the officers to accept the aides. While a firm show of top level support is

essential to the program's success, more than that will be needed. It may be advisable, for example, to familiarize the patrolmen who are to supervise the aides with the objectives of the program early in its developmental stage. Their doubts about the program should be brought out into the open and discussed realistically. In addition, so far as possible without jeopardizing the program's objectives, patrolmen's suggestions regarding specific duties to which aides should be assigned, the nature of the aides' qualifications, the screening methods to be used and other such elements of the program should be adopted. In any event, they should be given careful consideration. Patrolmen also should be given the opportunity to suggest how the aides can best be supervised.

It also is important to work out the details of the administrative relationships between the supervising patrolmen and their supervisors, and between the patrolmen and their supervising officers and the training staff. Feedback to the training staff on the problems and progress of the aides in the on-the-job training phase of the program will be crucial and appropriate procedures for insuring its flow must be devised.

#### 4. Training Principles.

Experience in training New Careers trainees has shown that it is useful to keep in mind several principles.

a. Action. Emphasize methods which permit the active participation of the trainees. These include discussion sessions, demonstrations, role-playing and field trips.

Techniques of this kind have proved to be far more effective than the traditional lecture method, in which the trainees are passive listeners. Role-playing an accident situation, for example, in which an officer and his aide attempt to question the witnesses will be far more effective than simply describing the problems to be overcome.

b. Flexibility. Keep the schedule, content and activities of the training flexible. This will enable the training process to respond to the problems and needs of the trainees at the time they arise.

c. Variety. Do not continue one type of training technique beyond the point at which the trainees have become bored. For example, if a field trip to a precinct station to observe interrogation methods coincides with a period of little activity at the station, don't let the trainees stand around. Involve them in practicing the procedures for processing prisoners, in an examination of the various forms and records, or in some other relevant activity. Training films designed for patrolman trainees may be too advanced for aide trainees, and other techniques, such as role-playing or field visits may have to be substituted.

d. Encouragement. Aide trainees tend to be easily discouraged by situations with which they are unfamiliar. Moreover, the strain of participating in the training program may intensify personal problems of the trainees. Be prepared for inappropriate responses. Instead of asking for an explanation to something he doesn't understand, for example, a trainee aide may act bored, be late to training sessions or even miss them altogether. Encouragement by the training staff, the patrolman supervisors and the other trainees, however, can be effective in raising the trainees' level of performance. More deep-rooted personal problems may be dealt with during the core group sessions.

#### Relationship of Skill Training to Other Components of the Training Program and Scheduling

The skill training curriculum (Chapter VI) constitutes only one element of the total program for the patrolman aide candidates. The other components consist of The Core Group: Generic Issues in Human Services and Remediation; Basic Elements and Issues in the Administration of Justice (Chapter V); and On-The-Job Training. As is explained in greater detail in the publications cited at the end of Chapter I, the trainees will participate in all these components throughout the training program. Moreover, all curriculum presentation should be related as closely as possible to the trainees' work experiences.

The training program will last six months. A detailed schedule for this period will not be suggested since the trainers should exercise maximum flexibility in coordinating the curriculums with the trainees' job experience. The following may be used as a rough guideline to the amount of time to be allocated to each component during the course of a week.

On-the-job Training . . . . . 20 hours

Specialty Training:

Patrolman Aide Skills and Basic Elements and  
Issues in the Administration of Justice

(5 sessions - 2 hours). . . . . 10 hours

The Core Group:

Generic Issues in Human Services

(3 sessions - 2 hours). . . . . 6 hours

Remediation (2 sessions - 2 hours). . . . . 4 hours

For similar reasons, no scheduled presentation of the topics to be covered in Chapters V and VI (specialty training) will be suggested. The project supervisor should arrange weekly conferences between the trainers responsible for the presentation of materials in Chapters V and VI in order to work out a schedule which integrates the instruction in the administration of justice with the skill training curriculum.

It is recommended that the topic of Departmental Organization and Operation be taken up at the beginning of the training since it will give the trainees not only an overview of the



department's operations but also inform them of the various rules and conditions under which they will be working. Thereafter, however, it may be advisable to expose the trainees to as many topics of skill training as possible during every week of the entire training program. Having been introduced to every major topic from the outset the trainees will be at least partially prepared to recognize and deal with most of the varied problems which will arise during their on-the-job training.

CHAPTER V

BASIC ELEMENTS AND ISSUES  
IN THE  
ADMINISTRATION OF JUSTICE

## INTRODUCTION

OVERALL OBJECTIVE: To give the aides an overview of the governmental system for solving issues of "justice."

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### OBJECTIVES & ACTIVITIES

### CONTENT

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#### Objectives:

To give trainees an overview of the justice system and to introduce them to the teaching methods the trainer plans to use.

#### Activities:

Brief talk and discussion with the trainees.

Illustrate, by concrete example, the use of newspapers, magazines, TV programs, etc., as information supplements to the materials. The trainer may also receive from trainees suggestions about

I. The two main branches of the formal administration of justice system:

A. The Civil Justice System.

1. Mainly concerns private disputes between people.

2. Rarely involves public agencies (except the courts) in the enforcement process; private individuals, businesses, etc., must initiate and carry through the enforcement process (suits, negotiations, etc.).

3. Many disputes in civil law are settled according to rules laid down by the courts or legislatures, e.g., "torts," the body of rules which determines whose fault it is when someone is wrongfully injured and what should be done to right that wrong.

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resource people to use, types of questions to ask, them, etc. Group decisions on these and other topics during the training program should be encouraged.

The trainer may defer covering some parts of the introductory material until the trainees are meeting with specialized resource people. Thus, for example, some questions about the criminal law system could be postponed until the trainees talk to a prosecutor.

4. But many civil law disputes involve enforcing privately-adopted rules and duties, e.g., "contracts," the body of law that seeks to say when a contract has been formed, when it has been broken (breached), and what the breaching party must do to make up for his breaking his private agreement. The court's effort here is often to give effect to the private agreement.

5. Most civil law cases, when they go to court, are resolved with one party owing the other some money ("money damages"); rarely are there penalties assessed against the wrongdoer, but only that amount of money which will compensate the winning party for his loss.

### B. The Criminal Justice System.

1. Mainly concerns enforcement of public rules regarding the behavior of all citizens.

2. To enforce the criminal law, there are a multitude of public agencies. Even when private complaints initiate the process, policemen, prosecutors, corrections personnel, etc., usually get into the process.

3. Criminal statutes generally fall into two categories, minor crimes (called "misdemeanors") which call for lesser penalties against the offender (usually no more than one year in jail), and major crimes ("felonies"), which involve heavier penalties.

## C. Comparing Civil and Criminal Systems:

1. The majority of cases in which private attorneys become involved concern civil law.
2. Most of their work in these cases involves pre-venting disputes that might arise in the future.
3. Even when lawyers help to "pick up the pieces" after trouble has occurred, most civil law disputes are settled out of court.
4. In criminal law, policemen work to prevent law violations; for example, they continuously patrol the streets to discourage potential lawbreakers.
5. But, unlike the civil system, when unlawful trouble occurs and someone is suspected of having caused it, the dispute usually ends up in court.
6. Most judges try both civil and criminal cases, usually rotating their schedules between the two.
7. At the lower level of simple cases -- such as landlord and tenant or small claims, and criminal misdemeanors -- there are millions of such court cases every year, both civil and criminal.
8. At higher (appeals) levels in the judiciary, there are usually more civil than criminal cases.
9. There are fewer trials of felonies or major civil disputes than there are trials of misdemeanors and minor civil disputes, but the trials involving the former often take up a very large



part of a court system's time. Reasons:

- a. Many low level civil cases are not contested, and the complainant wins a quick judgement "by default."
- b. Most misdemeanors are won by the prosecution since defendants usually plead guilty -- and these cases are also disposed of quickly.
- c. Even when the defendants in either type of case contest the other side's claims, trying these cases usually goes very quickly.
- d. But in major civil or criminal cases that are contested, there often is a jury trial that can take days or even months.

II. Two other parts of the administration of justice system: administrative agencies and the juvenile system.

- A. These subsystems defy categorization since they are concerned both with civil and criminal law.
- B. The juvenile system is very much like the regular criminal system, but an additional effort is made to keep the juvenile out of further trouble or to avoid giving him the stigma of a "criminal" record. Thus, the juvenile system has borrowed civil law concepts to give the juvenile better protection.
- C. The administrative system gives effect to public policies and programs. In the process, it exacts penalties of offenders (like the criminal system) or resolves disputes without inflicting penalties (like the civil system). In addition, it sometimes

makes rules (like a legislature), dispenses public benefits (like an executive agency), and decides cases (like a court).

III. General notes for the trainer.

- A. There are many agencies, with many different functions, involved in the administration of justice.
- B. This manual seeks to help the trainer conduct a broad survey of the whole system; it is designed to help trainees get a grasp of the larger system in which they will be playing a quite specialized part.
- C. Thus, the trainee could be working in one of a multitude of agencies and institutions -- and within each agency, there may be many diverse roles that each subprofessional trainee could assume.
- D. For the trainer, this means that few trainees will be able to bring experiences from their jobs to aid in the training process except in their quite specialized areas of employment.
- E. It can be expected that many New Careers trainees, being from low-income backgrounds, will have had little personal contact with the administration of justice system except as criminal suspects or as defendants in landlord-tenant proceedings, etc. Therefore, the trainer should be aware that the trainees' prior encounters with the system may have been limited to "bargain basement justice." Consequently, the trainer will need to explore with the trainees the ways in which the system could better deal with the poor. The manner in which the system operates to the general satisfaction of the middle class should also be emphasized in the

training program.

- F. Moreover, the trainer should be prepared to find some institutional concerns projected by the trainees into the training program. For example, trainees working for the police department, for the legal aid agency and/or for the probation department can be expected to have differing attitudes toward an accused criminal. There is nothing wrong with this. The trainer can serve the trainees well by helping them appreciate that many roles and role-attitudes are "legitimate" if the whole system is to work effectively and fairly. If trainees in diverse occupations come to appreciate the utility of the other functions of the system, the main goals of this manual will have been obtained.
- G. Because trainees will be getting work experience in small parts of the larger system, and because the trainee's personal experiences with the system may be limited, the trainer is encouraged to go outside their experiences to enhance their understanding of their part in the larger system. Clipping newspaper articles touching on the administration of justice should be highly recommended to the trainees, and the group can extemporaneously discuss television dramas and movies with themes related to justice.
- H. Because the content of this manual necessarily covers a broad range, the trainer is encouraged to use trainees as teachers to the greatest degree possible. When a topic is brought up that appears to be particularly interesting to the trainees, the trainer may help select trainees get more information on that subject for presentation to the training group. Information-gathering need not be time consuming or difficult; consulting news ar-

ticles, or holding discussions with resource people, for example, would be sufficient. Self-educative techniques of this nature have been found very useful in making "dry" information interesting and relevant to New Careers trainees.

- I. Finally, it is recommended that the trainer spend some time seeking out "resource people" whose familiarity with the topics and the institutions covered in this manual will prove informative to the trainees. Conferences with resource people can be held either at the training site or at the trainees' place of work, whichever seems more appropriate. The training group should spend some time prior to each such conference, developing lines of questions to ask the resource person; straight lectures by the latter should be avoided.

#### IV. The concept of "justice."

- A. Justice is often thought of as a way of taking revenge on those who violate society's basic laws.
- B. In the past, society's basic laws were often religious or moral codes; most laws in the U.S. now are criminal statutes.

#### Activities:

The trainer should conduct a guided group discussion, asking trainees to give examples of the different elements of the concept of justice. Personal experiences can be used to illustrate the concepts. Newspaper and magazine articles, as well as T.V.

- C. In the past, "justice" emphasized punishment and revenge: in the U.S. today, criminal justice emphasizes removing dangerous people from society and rehabilitating them so they will not return to crime.

- D. Justice also refers to the use of principles to help settle disputes between two or more people.

- E. "Civil" justice, resolving private disputes, was often primitive and harsh, e.g., the story of Solomon, early English trials by fire, etc. Civil



## OBJECTIVES & ACTIVITIES

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programs, are sources of additional concrete examples of the issues and disputes which arise under the rubric of "justice."

Discuss the features that distinguish the "social justice" and the "legal justice" ideas.

Justice today seeks to resolve disputes fairly and rationally, e.g., injunctions in civil rights disputes, damages in car accidents.

F. Many people now believe that "justice" includes the idea of "social justice" to minority groups who have been denied opportunities in society.

#### Objectives:

To understand that police, lawyers and courts are only among the most formal techniques of providing justice.

#### Activities:

Guided group discussion, with examples provided by trainees. Trainees may compare advantages of formal versus informal means of achieving justice, e.g., police, prosecutor and judge versus Klu Klux Klan methods.

#### V. Ways of providing justice.

- A. Individual efforts, e.g., protecting the victim from a bully; "getting even" with someone who has wronged you; not paying the bill of a merchant who has "cheated" you, etc.
- B. Informal group efforts, e.g., vigilante committees, armed strike breakers, organized rent strikes, etc.
- C. Formal methods, provided by or assisted by government and laws, e.g., police, lawyers, courts, jails, etc.
- D. Tendency is to replace informal methods of providing justice with democratically-agreed-on laws and with government-established mechanics.



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### Objectives:

To show trainees that inter-agency conflicts are a necessary part of the government's system of justice.

To show trainees that, despite agency conflicts, the agencies -- and the trainees -- can work more or less harmoniously.

### Activities:

Trainees should discuss possible role conflicts inherent in the different justice agencies.

Role-playing of the various justice personnel can be used, emphasizing differing attitudes toward the offender expressed by policeman, lawyer, prosecutor, judge, parole officer, etc.

### VI. The governmental system of providing justice.

A. The criminal justice system illustrates how several differing groups are part of the system: thus,

1. Police have the primary duty of apprehending offenders and getting evidence to convict the suspect.

2. Defense lawyers have the primary duty of showing that the evidence of guilt is too weak to convict the suspect.

3. The prosecutor has the primary duty of persuading others of the suspect's guilt.

4. The judge and jury have the primary duty to impartially decide between the claims of prosecutor and defense counsel.

5. The corrections officer has the primary duties of keeping the convict incarcerated and rehabilitating him.

6. The parole and probation officers have the primary duties of keeping the ex-convict out of trouble and engaged in constructive activities.

B. The criminal justice system also illustrates how the different agencies try to work together and avoid hostility.

1. Police often decide not to make an arrest, and rather give a warning to an offender, talk to a juvenile offender's parents or refer an offender to a place where he can get help, for example.

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### Activities:

Trainees might reenact the roles above, emphasizing "politeness" between the agency personnel, and emphasizing a concern by all that (a) the state has proven guilt beyond a reasonable doubt, and (b) the convicted offender is helped to lead a non-criminal life.

### Objectives:

To show how civil disputes are often resolved.

### Activities

Role-playing is suggested, enacting these roles: two drivers, two insurance company lawyers, two witnesses and two doctors. The problem would be a car accident

2. Prosecutors often decide not to prosecute a suspect, due to insufficient evidence of guilt or because they see that injustice will result.
  3. Prosecutors very often negotiate with defense lawyers and agree to reduce the charges, recommend lighter sentences, etc. Prosecutors are "officers of the court," and they seek to do justice and to make the courts' work run smoothly as well as to get convictions.
  4. Defense lawyers are also "officers of the court," and so should not willingly participate in letting a witness lie to the judge and jury, etc. When the evidence against his client appears to be quite convincing, the lawyer will often, with the client's permission, negotiate to get the lightest punishment possible in return for a plea of guilty.
  5. The corrections officer will often help a "reformed" offender get a reduced jail term, etc.
- C. While the civil system does not have as many participants and agencies to produce justice as the criminal system, it also contains elements of antagonism and accommodation.
1. After a two-car accident, the drivers' lawyers or employees of the drivers' insurance companies often investigate the accident. They then sit down with each other, argue about which driver was at fault, and how great the damages were.
  2. Usually they reach a settlement in this way, without having to take their dispute to court.

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in which one driver was probably at fault but still has a good case. The lawyers see if a settlement is possible and how much it would cost.

3. They usually reach a settlement in this manner to avoid the court costs, which are particularly high for the loser. The lawyer or insurance agent who thinks his client would lose in court will usually try to get the best settlement possible outside of court.
4. Likewise, the lawyer or insurance agent who thinks his client has a strong case will nonetheless compromise his claim for money damages. For, even if he wins a larger amount in a trial, it may turn out to be less in actuality after the expenses of the trial are deducted.
5. The same process of getting out-of-court settlements in the area of civil justice occurs in other areas too, e.g., between consumers and store owners, between manufacturers and retailers or between unions and employers.
6. Sometimes the two sides cannot reach a settlement, and so their argument becomes a lawsuit. Then a court settles the issues between them based on the evidence presented at trial and on the laws governing the resolution of such disputes.
7. The poor usually do not put the civil justice system to their use as often as more well-to-do people. The reasons:
  - a. The poor are less likely to know their legal rights and how to enforce them.
  - b. The poor often cannot hire lawyers or others to look after their interests.

- c. The poor cannot convincingly threaten a lawsuit against others, so they have less influence in getting the other side to make a settlement.

Objectives:

To summarize.

Activities:

Discussion directed toward highlighting the content covered in this unit.

VII. In general.

- A. Justice -- civil or criminal, formal or informal -- involves conflicts between people and ways of handling these conflicts.
- B. The existence of a formal governmental system of justice helps to persuade many people to settle their disputes out of court: the threats, "I'll call a policeman" or "I'll sue," help to reduce many conflicts.
- C. Even so, many disputes do end up in court, e.g., the man who is accused of breaking criminal law or the man who is accused of causing a car accident.
- D. The U.S. system of justice prefers to have both sides of a dispute represented in court, so that the conflicts are reflected in the institution of justice.
- E. Many jobs in the system are "neutral" in the disputes, e.g., judge, probation officer, etc.



## THE CIVIL JUSTICE SYSTEM

OVERALL OBJECTIVE: To acquaint trainees with the functions, processes and institutions of the civil justice system.

| OBJECTIVES & ACTIVITIES                                                                                                                                                                                                                                                                                                                                                                    | CONTENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Objectives:                                                                                                                                                                                                                                                                                                                                                                                | (A note to trainers:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| To observe the workings of a civil court.                                                                                                                                                                                                                                                                                                                                                  | It is suggested that you move through this content fairly quickly, using the lecture method and charts and other visual aids to present the content in as interesting a manner as possible.                                                                                                                                                                                                                                                                                                                                                                |
| Activities:                                                                                                                                                                                                                                                                                                                                                                                | If you are not familiar with the content in this section, you may want to bring in an attorney to present this material.)                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Arrange to observe a civil trial. It is recommended that the trainer discuss this with a court clerk at least a week in advance. The clerk may help the trainer select what is expected to be a short jury trial and one whose subject would be interesting to the trainees. He may then telephone the trainer to tell him when the trial is going to start. The clerk may also be helpful | I. A civil trial.<br>A. Observe a civil trial.<br>B. Identify the "actors," e.g., judge, jury, plaintiffs' and defendants' attorneys, clerk, bailiff, stenographer, etc. (Note: Conversations are not permitted among spectators at a trial. Therefore, it is suggested that the trainees observe the opening of a trial -- up to, say, the dismissal of the first witness -- and then go into the hall to briefly discuss who was doing what.)<br>C. After the trial, attempt to have the trainees talk briefly with a few of the participants, e.g., the |



## OBJECTIVES & ACTIVITIES

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in arranging to have the trainees discuss the case (off the record) after the trial with the judge and the lawyers, although the trainer should also contact these people prior to the trial to get their cooperation.

An alternative way of selecting an interesting trial is by contacting the local OEO legal services program or other agency that represents in civil litigation if there is one in the training locale.

The trainees and trainers should prepare themselves sufficiently before going to the trial so that they can ask useful questions of the participants.

The trainer also may arrange to have the trainees meet with one of the attorneys before the trial, to see what he hopes to accomplish, what he expects will be problems, etc.

lawyers, the clerk and perhaps the judge.

### 1. Suggested questions to ask the lawyers:

- a. What did you do to prepare for the trial?
- b. Did the trial go as you expected it to?
- c. What problems did you encounter -- "bad" rulings by judge, the jury's not believing your witnesses, etc?

### 2. Suggested questions to ask the clerk:

- a. What was your role in arranging for this trial to take place?
- b. What might be your future involvement in this case?

- c. What other kinds of tasks did you do today, for example?

- d. What can you tell us about the normal activities that take place in the court?

### 3. Suggested questions to ask the judge:

- a. Was this a typical civil case? Were there unusual aspects to it?
- b. How could the lawyer for each side have better presented client's case?
- c. Were any of your rulings hard to reach? (Perhaps the judge can give an example of one of his rulings, the arguments pro and con, and the reasons for his decision.)

## Objectives:

## II. Organization of the courts and judicial process.

To acquaint the trainees with the structure of courts.

## A. The hierarchy of the civil court system.

1. The state (or local) trial court.
2. The state intermediate court of appeals.
3. The state supreme court.
4. The U.S. Supreme Court (available in a few civil cases).
5. The parallel federal system.

To acquaint the trainees with the outlines of American legal processes.

## B. The process of a civil trial.

1. The complaint and the "plaintiff."

2. The answer and the "defendant."

3. The plaintiff's case -- witnesses, cross-examination, other evidence.

4. The defendant's case.

5. The jury decides issues of "fact" (which side is "telling the truth").

6. The judge decides issues of "law," (i.e., given the facts as the jury sees them, what is the consequence according to law).

7. Rules governing how the trial is run: "civil procedure," "rules of evidence," etc.

8. Nonjury trials: the judge decides issues of fact and law.
  9. Verdict (fact) and judgment (law).
  10. There are two kinds of law, statutory and common law.
  11. Statutory laws are written rules adopted by a legislature.
  12. Common laws are the decisions of judges decided case-by-case over the centuries. If the issue before the court is to be decided by common law, the judge takes the most persuasive line of cases dealing with analogous facts and applies the same rule that the earlier judge used.
  13. The U.S. courts are governed increasingly by statutory law.
    - a. But the common law technique, of seeing how other judges applied legal rules to similar situations in the past, is still used. (Stare decisis)
    - b. And even statutory law leaves the common law rules alone in some areas.
- C. Appeals courts.
1. Usually, the appeals courts may reverse a trial court's decisions of "law" - the judge's rulings, instructions to the jury, judgment, etc. - but not issues of "fact."
  2. Usually, when one side loses in an appeals court, he may appeal to the highest court only if it wants to hear that appeal.

## Activities:

Show examples of court decisions decided on common law and on statutory grounds.

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3. Thus, the U.S. Supreme Court grants a hearing to only a small percentage of those who seek its help.
4. Usually, to get the Supreme Court to hear a case, there has to be a significant Constitutional or federal issue in dispute (which is rare).
- D. Compared with the legislative process, the judicial process is:
  1. More formal and ritualistic.
  2. Less "democratic."
  3. Less free in what it may do in a given situation.

### III.

#### A. The lawyers.

1. Private lawyers and law firms.
2. Government-salaried lawyers in civil law, e.g., legal aid, OEO legal services.
3. The various kinds of issues lawyers handle (examples):
  - a. Serving the business corporation: drafting contracts, advising corporation on tax or antitrust consequences of a proposed change of operations, etc.
  - b. Serving the middle-class client: drafting contracts to buy or sell a house, advising on tax matters, arranging a divorce, etc.

#### Activities:

Visits to lawyers' offices can supplement the content here. It should be noted that most lawyers serve well-to-do clients. Thus, a visit to an "uptown" law firm might be scheduled, in which trainees find out how lawyers spend their time on noncriminal work. Whether or not such a visit can be scheduled, a visit to a law firm (public or private) serving an ethnic minority or people of low income is recommended.

## Activities:

While lectures can be used to present content, it is suggested that trainees be engaged in discussing the issues. Role-playing may be useful. Examples of contracts, wills, etc., should be shown to the trainees.

4. Kinds of roles lawyers play: advocate (present and argue a client's case before a court), draftsman (drafting a contract, a divorce settlement, a collective bargaining agreement, etc.), counselor (advising clients about what action to take in view of present or expected difficulties), negotiator (trying to persuade someone else to agree to the client's desires), investigator (trying to find out what happened in a given case), researcher (reading through law books, statutes and other materials), etc.

## B. Resolving civil law problems: the lawyer's job.

1. Anticipate potential disputes and make plans to avoid them.
  - a. Contracts: an agreement between two or more people in which it is made clear who is expected to do what and when.
  - b. Wills: a person's careful decision about what he wants done with his property after his death.
  - c. Others: divorce settlements, advise about the tax consequences of proposed courses of action, etc.
2. Seek a private settlement.
  - a. Most civil disputes are resolved by negotiation, compromise, etc.
  - b. Lawyers feel that they are serving their client better when they can reach an acceptable settlement than if they have to file a suit.



3. If a settlement is impossible, these are among the jobs a lawyer does in preparing for a court trial:
  - a. Investigates the problem (this may mean talking briefly to one or two people or studying the books and records of a business).
  - b. Files a complaint, saying what the other party did wrong and what the court can and should do to remedy the problem. (The other party's lawyer answers your complaint.)
  - c. Files other papers -- "briefs," "motions," etc., explaining why the law is on your side. (The other party answers.)
  - d. Investigates by "discovery": taking statements from witnesses under oath, examining other party's documents, etc. (Both sides have a right to examine each others' witnesses, documents, etc.)
  - e. Prepares the evidence to be ready to present it persuasively to a judge and/or jury.
4. The trial: reviews the actors and processes seen at a civil trial.
5. After judgment is entered, these things can occur:
  - a. Public enforcement, e.g., writ of execution, sheriff's seizure of property and sheriff's sale.
  - b. Nonenforcement: the losing party has too little money or property in the jurisdiction to satisfy the money judgment.

- c. Appeals: the losing party asks the next highest court to review the case and declare that the trial was improperly conducted. Normally, appeals must be based solely on the alleged inaccurate rulings by the judge; the jury's finding of fact cannot be challenged.
- d. From lower courts, the losing party may usually appeal as a matter of right to an intermediate appeals court.
- e. But in most higher courts, e.g., state supreme courts, the court has discretion whether to hear the appeal or not.
- f. An appeals court can reverse the lower court's final judgment, but usually, when it supports the "appellant," it usually orders a new trial.

#### IV. Other aspects of the civil law system.

##### A. "Law" and "equity."

1. The U.S. Civil law system developed from English law.
2. There was an ancient English division between "law" and "equity," and remnants of it remain in the U.S. today.
3. The main difference between law and equity is that a "legal" decision declares that someone owes someone else some money; an "equitable" decision orders someone to do something. (Note that "legal" here has a different meaning

than the normal one.)

- a. A law judgment: Jones owes Smith a certain amount of money (due to back rent, unpaid installments on furniture, or because of a car accident, etc.).
- b. A law judgment is usually enforced by taking some money or property from the loser; that is, it results in a "money judgment." An equity decree says that if the person commanded to do something refuses to do it, he can be held "in contempt of court" and put in jail until he agrees.
- c. The defendant in a law trial usually has the right to have disputed facts settled by a jury (although he may waive a jury trial in favor of the judge deciding issues of fact); an equity proceeding is always before a judge without a jury.

B. The idea of "agency."

1. If a bus driver or a T.V. repairman, etc., negligently runs into a car while he is on the job, the accident victim can usually sue not only the negligent driver but also the company that employs him.
2. The reason is that the company is considered to be responsible for the acts of its employees while they are on the job. The employee is called the company's "agent."

3. Probably the reasons the agency idea developed was to encourage employers to make their employees be careful in their work, and also it was found that employees were often unable to pay money judgments so that the victim was never compensated for his injuries.
4. Employers now almost always carry insurance policies to cover losses in such suits.
5. This is one area in which the agency theory is not applied as thoroughly as in government employment; government and government agencies have been traditionally immune from negligence suits. But in recent years, legislatures in many states and localities have passed laws allowing citizens to sue some government agencies on the agency theory.

C. The U.S. Constitution.

1. The U.S. Constitution guarantees many things to American citizens. Among the most notable rights it protects are:
  - a. Freedom of speech
  - b. Freedom of the press
  - c. Freedom of worship
  - d. Freedom of assembly
  - e. The right to vote
  - f. The right to a fair trial, etc.

Activities:

Articles from newspapers illustrating as many of these and other rights as possible are recommended. Current material or pending Supreme Court cases may prove interesting. Constitutional issues concerning the agencies of justice, e.g., police, juvenile courts, etc., should be especially noted.

2. Some interesting cases in civil law have been raised to enforce constitutional guarantees e.g., injunctions to order school desegregation, etc.

3. The Constitution is a very generalized set of rules. To give those words meaning in concrete situations is the job of the courts, particularly the U.S. Supreme Court: "the Constitution is what the judges say it is."

Activities:

Discuss rights that appear to be less than complete realities for citizens.

Activities:

Discuss cases wherein rights were found to have some limits.

Activities:

Discuss cases in which the Supreme Court voided state or federal laws.

- a. One problem here is the situation where the court finds a right, e.g., "Negroes in Alabama have a right to vote," but is unable to fashion a legal remedy to enforce that right. Thus, it took the practical machinery of the 1965 Voting Rights Act to make the 15th Amendment of the Constitution (voting), adopted in 1870, meaningful to Southern Negroes.

- b. Another problem is setting limits on Constitutional rights. Thus, "freedom of the press" does not mean one can publish anything he wants to; if someone prints and distributes pamphlets attacking you, and the pamphlets are full of outrageous, malicious lies, you can probably sue him for libel. So he doesn't have complete freedom of the press, and other Constitutional rights have been similarly limited by the courts.

4. The Constitution is the "supreme law of the land." That means that if a state law conflicts with a Constitutional provision, the state law is void and cannot be enforced. The same is true of laws passed by the U.S. Congress.



## Examples:

- a. Federal courts have voided state laws requiring segregated education, etc.
- b. Federal courts have voided Congressional statutes which deny citizens freedom of speech, etc.

## V. Discussion and review.

- A. Review the content covered, highlighting these and other features of the civil law system:

1. It is primarily used to help order relations between private individuals by a system of fair and consistent rules.

2. The great majority of time spent by most lawyers is in civil law.

3. Relatively few civil law problems end up in court.

- B. Alert trainees to the differences and similarities between the civil, criminal, and administrative law systems.

## Objectives:

To provide trainees an overview of the civil law system.

## Activities:

This is an optional discussion, aimed at giving the trainees an overview of the system. Perhaps the major features of the system can be elicited from the trainees themselves. The highlights listed here are merely suggestive.

## THE ADMINISTRATIVE SYSTEM

OVERALL OBJECTIVE: To acquaint trainees with the functions, processes and institutions of the administrative system.

| OBJECTIVES & ACTIVITIES                                                                                                                                                                              | CONTENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Objectives:<br><br>To acquaint trainees with different types of administrative agencies.<br><br>To acquaint trainees with the broad powers exercised by such agencies.                               | I. An introduction to the general types of administrative agencies in the U.S.<br><br>A. Primarily "executive" agencies.<br><br>1. These are the governmental bureaucracies that deliver the goods and services that have been approved by the federal, state and local legislative bodies.<br><br>2. Federal examples: The U.S. Department of Health, Education and Welfare; the U.S. Department of Housing and Urban Development; the Office of Economic Opportunity.<br><br>3. State and local examples: The police department; the welfare department; the public housing agency, the school board.<br><br>B. Primarily "policy-making" or "legislative" agencies.<br><br>1. Many executive bureaucracies have a policy-making board over them. |
| Activities:<br><br>A brief lecture and discussion, drawing on the experiences of the trainees. The conceptualization of "executive," "legislative" and "judicial" functions may have little utility. |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

## OBJECTIVES & ACTIVITIES

## CONTENT

Perhaps the trainer can use another framework to describe the broad range of functions that have been delegated to administrative agencies.

Trainees should be encouraged to clip newspaper articles concerning administrative agencies - especially those in which an agency is involved in an issue of felt justice or injustice.

The trainees may be helpful in selecting examples, especially local agencies as examples.

2. While these boards are created by legislation, and must carry out basic statutory purposes, the statutes they administer are usually vague, and the board is given authority to "fill in the details," e.g., make policy.

3. Federal examples: The Federal Reserve Board (indirectly sets the rates of interest which local banks charge borrowers).

4. State and local examples: a school board (which not only "executes" the "spending" of the school system's budget, but also "legislates" such policies as school curriculum, teacher qualifications, etc., and even is sometimes permitted to "legislate" the tax rates on local properties); boards of public welfare, public housing and other agencies, etc.

C. Primarily "rule-enforcing" or "judicial" agencies.

1. Many agencies help legislatures carry out policies by investigations and rule-enforcement procedures.

2. While these agencies are more like courts than other agencies -- that is, they act to enforce rules -- they have two extra functions that courts rarely have:

a. They may have rule-making authority (within set limits).

- b. They may have their own investigative and enforcement staff, rather than waiting for citizens to bring them complaints.

- 3. Federal examples: The Interstate Commerce Commission (sets rates for railroads and trucks, and enforces these and other regulations); the National Labor Relations Board (enforces rules concerning union-management relations); the Equal Employment Opportunities Commission (enforces the civil rights law barring job discrimination), etc.
- 4. State and local examples: Zoning boards, housing code and health code inspection and enforcement agencies, licensing agencies, etc.

#### D. Multifunctional agencies:

- 1. Many agencies, while primarily "executive," or "legislative" or "judicial," may take on aspects of two or even all three functions.
- 2. Thus, a school board has major "executive" tasks such as deciding how the school budget will be spent. It also is a rule-making body, setting standards for curriculum, teacher qualification, deportment of students, etc. Some school boards even act like a court on occasion, in deciding teacher dismissal cases.

- 3. Another example of a multifunctional agency is a typical public housing authority. Its major job is executive, using federal subsidies to provide low-rent housing for the poor. But it is also a rule-making body: it determines who is eligible to be a public housing tenant; it sets rules that the tenants are supposed to obey; it sets fines and other penalties (including eviction) against

#### Activities:

Discuss a local agency in terms of its multifunctional character. It may be noted in this discussion, as it has been



noted elsewhere, that many agency's employees are empowered to make a variety of decisions critically affecting people's lives, and that these decisions are not subject to a rigorous system of accounting and appeal.

those who violate the authority's rules. In enforcing these rules, the authority usually acts as the policeman, prosecutor and judge.

4. Some legislatures, in establishing agencies, sought to make sure that the agencies would act fairly in setting rules and enforcing them. Consequently, when a federal agency seeks to discipline an employee or levy sanctions against a citizen, it must normally follow the Administrative Procedure Act. This act makes sure that the person charged is informed of the charges, has a right to counsel, has a right to have witnesses testify in his behalf, has a right to cross-examine witnesses for the other side, has a right of appeal, etc. In effect, the act gives him the right to a trial, but without all the formalities and safeguards a regular court trial offers him.

5. Not many state or local legislatures have adopted statutes as far reaching as the U.S. Administrative Procedure Act. But in setting up local agencies, they sometimes establish safeguards around their operations.

#### Activities:

Local agency safeguards should be discussed.

- a. School boards are often required to hold public hearings before enacting certain policies, e.g., selecting the site of a new school.

- b. Zoning boards are often required to have a public hearing, with all sides represented by counsel, before altering a zoning ordinance in favor of a particular applicant.



- c. But sometimes there are no safeguards, e.g., the public housing tenant who is fined for destruction of property may have no opportunity to deny the charges and so must either pay the fine or be evicted.

II. Because administrative agencies have such broad powers over the lives of citizens in the U.S., issues of justice result.

A. List administrative agencies in the trainees' locality, e.g.:

1. Police department
2. Welfare department
3. School board and administration
4. Housing and health code enforcement agencies
5. Licensing agency

B. Discuss issues of justice in those agencies' operations, e.g.:

1. Concerning executive operations:
  - a. Is the school board's allocation of money unfair to children living in the ghetto?
  - b. Does the welfare or public housing department put unfair conditions on eligibility?
2. Concerning legislative operations:
  - a. Is the police department's decision to use

#### Objectives:

To show that issues of justice are a part of an administrative agency.

#### Activities:

Make the list suggested, indicating the various functions of the agencies. (This can be done in a discussion.)

List and discuss safeguards or lack of them in the agencies' operations. Newspaper clippings can be used in discussions.

"aggressive patrol" or "stop and frisk" in a ghetto the kind of policy that should be subject to public discussion and debate before implementation?

- b. Are the rules to which welfare recipients are subject reasonable and fair? Were they decided on in a fair manner?

3. Concerning judicial-type operations:

- a. Is the manner in which a parole department can have a parole revoked fair?
- b. What about termination of welfare or eviction from public housing or expulsion from school?

III. Observe agencies.

- A. Observe a legislative hearing (school board, etc.).
- B. Observe a judicial hearing (appeal of a welfare termination case, etc.).
- C. Observe the operations of an enforcement officer, e.g., a housing inspector. Discuss with him the problems he has in meeting the goals established in the legislation he is supposed to enforce.

Objectives:

To see agencies in operation.

Activities:

It may be possible to have trainees participate in a legislative hearing.

It may be difficult to observe the judicial hearing, as many are closed to the public. Attorneys defending indigents

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in such cases, or the administrative agencies involved, may help in getting trainees permission to observe the hearing.

An interview with the actors in these hearings and with the enforcement officer may be interesting to the trainees. See the suggested questions of participants in the civil trial for a possible model.

## THE JUVENILE SYSTEM

OVERALL OBJECTIVE: To acquaint trainees with the functions, processes, and institutions of the juvenile system.

| OBJECTIVES & ACTIVITIES                                                                                                                                                                                                                                                                                                                                                                               | CONTENT                                                           |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| Objective:                                                                                                                                                                                                                                                                                                                                                                                            | I. Introduction to the juvenile system.                           |
| To observe the juvenile system in operation.                                                                                                                                                                                                                                                                                                                                                          | A. Observe the workings of the juvenile system.                   |
| Activities:                                                                                                                                                                                                                                                                                                                                                                                           | 1. Juvenile squad                                                 |
| There are technical problems in having all the trainees observe all the processes of the juvenile system. So, perhaps bringing someone familiar with the local system, as a resource person, a schedule could be worked out, having the trainees divide into groups, with each looking at just one, two or three of the processes. Each group could thereafter report its observations to the others. | 2. Detention facilities                                           |
|                                                                                                                                                                                                                                                                                                                                                                                                       | 3. Intake process                                                 |
|                                                                                                                                                                                                                                                                                                                                                                                                       | 4. Jurisdictional hearing                                         |
|                                                                                                                                                                                                                                                                                                                                                                                                       | 5. Sentencing hearing                                             |
|                                                                                                                                                                                                                                                                                                                                                                                                       | 6. Social study of the delinquent                                 |
|                                                                                                                                                                                                                                                                                                                                                                                                       | 7. Probation                                                      |
|                                                                                                                                                                                                                                                                                                                                                                                                       | 8. Corrections facilities                                         |
|                                                                                                                                                                                                                                                                                                                                                                                                       | B. Discuss the organization and processes of the juvenile system. |
|                                                                                                                                                                                                                                                                                                                                                                                                       | 1. Discuss its similarity to a civil or administrative procedure: |

## OBJECTIVES & ACTIVITIES

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Permission will have to be secured in advance to observe all these processes - including an observation of the "trial," which is rarely public.

An alternative method of introducing trainees to the juvenile system is to have them just observe the "trial" (hearing), as was recommended in the civil law system.

Preobservation preparation e.g., preparing questions, is recommended.

a. Treatment for violation of the criminal laws (in some cases; in others, no criminal offenses are alleged).

b. Use of "conditional release" like probation and parole.

c. Use of incarceration.

2. What are the real differences between the juvenile and criminal systems?

a. Critics say that the real differences are small except that the juvenile is not afforded as many safeguards in his trial as the criminally-accused are.

b. The Supreme Court appears to be in some agreement with these critics: see the In Re. Gault decision.

c. While many juvenile corrections systems are "better" than prisons for adults, both usually seek to achieve the same goals, i.e., rehabilitation of the offender.

d. But the juvenile system makes far more extensive use than the criminal system of community resources (e.g., Big Brothers, families, schools, etc.) as an alternative or supplement to incarceration.

e. Thus, most juvenile cases are "settled" by police, by intake officers or by the court in informal consultations with the juvenile's parents or guardians.



## Activities:

An outline of the various steps in the juvenile system may be developed in the post-observation discussions. A resource person familiar with all the steps may be helpful. Note that there is some variance from jurisdiction to jurisdiction in the number and character of steps involved.

Trainees who have had personal dealings with the local juvenile system can be good resource people in these discussions.

## II. Outline of the juvenile system.

## A. Identification of a "problem" or "delinquent" juvenile. This is generally done by:

1. The juvenile's parents
2. Neighbors
3. School authorities
4. Police (major source of contacts)

## B. Disposition of the case at this level (discussion with the juvenile, parents, teachers, etc.).

## C. Intake.

1. Waiver of jurisdiction
2. Informal probation
3. Referred to court

## D. Pretrial detention and/or pretrial release.

## E. The court.

1. Initial hearing
2. Jurisdictional hearing

## a. Initial hearing (i.e., arraignment)

## b. Trial (during which juvenile denies involvement)

OBJECTIVES & ACTIVITIES

CONTENT

- 3. "Social study" by court personnel of the juvenile
- 4. Disposition hearing
  - F. Probation.
  - G. Institutionalization.
  - H. Appeals.

## THE CRIMINAL JUSTICE SYSTEM

OVERALL OBJECTIVE: To acquaint trainees with the functions, processes, and institutions of the criminal justice system.

| OBJECTIVES & ACTIVITIES                                                                                                                                                                                                                                                                                                                                                                                                                                                  |    | CONTENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Objectives:<br><br>To understand the criminal justice system.                                                                                                                                                                                                                                                                                                                                                                                                            | I. | Observe workings of criminal justice system.                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | A. | Police on patrol. <ol style="list-style-type: none"><li>1. The purposes of patrol.<ol style="list-style-type: none"><li>a. Preventive nature.</li><li>b. Ability to respond quickly to calls.</li></ol></li><li>2. The use of "aggressive patrol" in high-crime areas -- benefits and deficits in terms of reducing crime, improving community relations, etc.</li><li>3. Citizen confrontations: Effects on police and citizens.</li><li>4. Public services performed by patrolmen.</li></ol> |
| Activities:<br><br>The trainer should give some attention to preobservation preparations. Making the observations in a number of small groups, as suggested in the section on the juvenile system, is recommended. The preparation of questions to ask of the participants, as suggested in the section on civil justice, is again recommended. The checklist here, while perhaps requiring alteration to reflect local conditions, attempts to outline pertinent issues | B. | Police stations. <ol style="list-style-type: none"><li>1. Communications center.</li><li>2. Citizen complaint and reference center.</li></ol>                                                                                                                                                                                                                                                                                                                                                  |

in the criminal justice system. These should be supplemented by issues raised by the trainees.

It is to be expected that, of all the subsystems in the administration of justice, the system of criminal justice will provoke the greatest interest on the part of many trainees. Many, if not most, will have had prior dealings with it in their private lives, and it is likely that most of these dealings will have had a negative impact on the trainees. The trainer thus has the difficult job of using negative experiences to help trainees work constructively within criminal justice or closely related agencies. This should not be done by "sweeping dirt under the rug." Without candor and constructive skepticism in the training sessions, trainees will have difficulty resolving past experiences with current job training.

3. Arrest-detention center.
  - a. Booking, fingerprinting, etc.
  - b. Detention.
4. Investigation center.
  - a. Interrogating suspects, (complainants, witnesses, etc.).
  - b. Miranda procedures and the value police put on interrogation.
  - c. Lineup and other modes of investigation.
- C. Police headquarters.
  1. Records center.
  2. Scientific investigation center, etc.
  3. Detective bureau, other criminal law enforcement units.
  4. Preparation of cases for trial.
- D. Jail.
  1. Facilities.
  2. Activities and programs offered inmates.
  3. Rules concerning visits by relatives, lawyers, etc.

E. Trial (note recommended mode of observing a civil trial as a guide to observation and interviewing techniques.).

F. Penitentiary and/or other corrections facilities.

1. Maximum security facilities.

a. Activities provided inmates designed to rehabilitate them.

b. Efficiency of same.

c. Other aspects of incarceration, e.g., "the prisoners run the institutions," etc.

2. Minimum security.

3. Other rehabilitation and/or "re-entry" facilities.

G. Parole and probation agencies.

1. Methods used to determine eligibility for parole.

2. Procedures used to supervise parolees and probationers, including conferences, use of community resources, etc.

II. Discuss organization and process of the criminal law system (noting goals it seeks to achieve and problems it encounters).

A. The police.

1. Response to complaint, etc.

2. Arrest.

Activities:

Discussion of the actual steps used in the criminal justice system. The trainees' observations will prove useful in gaining a clear picture of the whole process.



## Activities:

It is recommended that the trainer bring in a police investigator, a prosecutor, a corrections officer and an ex-offender to describe and assess the system in concrete terms.

This discussion will probably entail some criticisms of the way the system operates. The trainer should seek to get the trainees to agree on practical goals which the system should seek to achieve. In such a framework, it may be easier to focus on utilitarian methods to meet these goals; further, it may be possible to frame criticisms so that they "deal with the real world" and contemplate the problems faced by all the agencies of criminal justice.

3. Interrogation and other forms of investigation (note Miranda procedures).
- B. Providing counsel (note Miranda).
  1. Legal aid agency (or other local counterpart).
  2. Assigned counsel system.
  3. Hires counsel (especially private firms specializing in criminal law).
- C. Bondsmen and other agencies involved in pretrial release.
- D. Jail.
- E. Prosecutor.
  1. Cooperation with police investigation (i.e., preparation for grand jury and trial).
- F. Arraignment and preliminary hearing.
  1. Also presentation of case to a grand jury: indictment.
  2. Indictment by "information."
- G. Trial.
- H. Presentencing investigation (felonies).
- I. Sentence.
- J. Probation.

OBJECTIVES & ACTIVITIES

CONTENT

K. Imprisonment.

1. Minimum security and reformatory.
2. Maximum security.
3. Rehabilitation, skills training, work release and other programs.

L. Parole.

1. Also other post-institutional treatment methods, e.g., halfway houses, job referral systems, use of community resources, etc.

III. Compare criminal system to civil, juvenile and administrative (and review content of manual).

CHAPTER VI

SPECIALTY SKILLS CURRICULUM

## POLICE DEPARTMENT: ORGANIZATION AND OPERATION

OVERALL OBJECTIVE: To develop an understanding of the major objectives and functions of the department, and its principal policies, rules and regulations as they pertain to the patrolman aide.

Materials presented in this section are based largely on O. W. Wilson, Police Administration, New York: McGraw Hill, 1963; and The International City Managers' Association, Municipal Police Administration, Fifth Edition, Chicago: The International City Managers' Association, 1961.

### OBJECTIVES & ACTIVITIES

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##### Objectives:

To explain the mission and primary tasks of police.

##### I. Police mission.

A. The basic police purpose is to prevent crimes and accidents that distress and inconvenience the public and to deal with them when they occur.

##### Activities:

B. To accomplish their mission, the police must perform five major tasks:

Combination of lecture and group discussion. High ranking officer in department should be available either to lead the discussion or to act as a resource person. Ask the trainees for examples of police practices intended to accomplish each of the 5 major tasks and problems which may limit police effec-

1. The prevention of criminal and other anti-social tendencies in individuals.

2. The repression of the criminal and anti-social activities of those persons so inclined.

3. The arrest of law violators, the recovery of stolen property, and the preparation of cases for presentation in court.

## OBJECTIVES & ACTIVITIES

## CONTENT

tiveness. Discuss the priorities assigned these tasks and the reasons for them.

### Objectives:

To describe the history and development of the department.

### II.

History and development of department.

A. Establishment and initial organization of department.

1. Date department was founded.

### Activities:

Combination of lecture and discussion.

2. Original table of organization.

a. Types of units and primary functions.

b. Lines of authority.

c. Numbers of personnel assigned to each unit.

B. Major changes in the department.

1. Changes in the table of organization.

2. Changes in equipment used.

3. Changes in functions and procedures of patrol.

4. Changes in police problems.



## OBJECTIVES & ACTIVITIES

## CONTENT

### Objectives:

To familiarize trainees with the current organization of the department.

### Activities:

Combination of lecture and discussion. Use charts to illustrate organizational relationships of various units. Have trainees visit certain units such as the communications and records division, the criminalistics laboratory, etc.

### III. Current organization of the department.

#### A. Purposes of organization for command.

1. To provide direction and specific tasks.
2. To provide coordination of related activities.
3. To provide control to insure that assignments are carried out.

#### B. Organizational relationships and primary functions of major administrative units.

1. Office of the Chief.
2. Departmental divisions, e.g., patrol, traffic, detective.
3. Special units, e.g., vice, juvenile, intelligence.
4. Auxiliary service units, e.g., communications, records, detention, laboratory, transport.
5. Staff services, e.g., personnel and training, planning and research, budgeting.

#### C. Authority and duties of selected personnel.

1. Dispatcher.
2. Precinct Commander.

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## OBJECTIVES & ACTIVITIES

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3. Desk Sergeant.
4. Patrol Sergeant.
5. Patrolman.
6. Detective.
7. Juvenile Officer.

### Objectives:

To explain departmental policies and regulations governing the work of the patrolman aide.

IV. Policies and regulations governing police employment in general and patrolman aides in particular.

A. Benefits and disadvantages of police employment.

### 1. Pay.

a. Salary.

b. Compensation for overtime.

c. Pay schedule.

d. Mandatory expenses, e.g., uniform, equipment.

### 2. Leave.

a. Types of leave (sick, regular).

b. Accrual rate and procedures.

c. Limitations on amount of leave which can be accrued.

### Activities:

Combination of lecture and discussion. Have trainees read and discuss all forms which they may be required to fill out.

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## OBJECTIVES & ACTIVITIES

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### CONTENT

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- d. Procedures to be followed in requesting leave.
- 3. Insurance.
  - a. Types of coverage (health, life, casualty, etc.).
  - b. Benefits provided by type of coverage.
  - c. Beneficiaries.
  - d. Premiums and employee's contributions.
- 4. Retirement.
  - a. Benefits.
  - b. Eligibility requirements.
  - c. Employee contributions.
- 5. Civil service.
  - a. Eligibility requirements, e.g., probation period.
  - b. Protections.
  - c. Obligations.
- 6. Union or association membership.
  - a. Requirements for membership.

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## OBJECTIVES & ACTIVITIES

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### CONTENT

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- b. Benefits.
- c. Obligations.
- 7. Shift work.
  - a. Hours of shifts.
  - b. Advantages of each shift.
  - c. Disadvantages of each shift.
- 8. Miscellaneous benefits.
  - a. Recreation programs.
  - b. Physical fitness programs.
  - c. Safety instruction.
  - d. Education program.
- B. Duties of Patrolman Aide.
  - 1. Duties while in status of aide trainee.
    - a. Aide's duties while engaged in the on-the-job phase of training.
    - b. Aide's relationship to the training staff.
    - c. Relationship to patrolman-supervisor.

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## OBJECTIVES & ACTIVITIES

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## CONTENT

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- 2. Duties of patrolman aide.
  - a. General duties.
  - b. Specialized duties.
- C. Evaluation and promotion procedures.
  - 1. Qualities desirable in patrolman aide:
    - a. Emotional qualities, e.g., self-confidence, initiative, ability to get along with people, interest in work.
    - b. Mental qualities, e.g., judgment, resourcefulness, alertness.
    - c. Ethical qualities, e.g., loyalty, honesty.
    - d. Physical qualities, e.g., energy, appearance.
  - 2. Evaluation procedures.
    - a. Rating sheets or other devices to be used in evaluating aides while in the training program and thereafter while on the job.
    - b. Procedures and standards which will be used.
  - 3. Promotion.
    - a. Procedures to be followed in selecting patrolman aides for promotion to success-



## OBJECTIVES & ACTIVITIES

## CONTENT

ively higher subprofessional positions in the department.

- b. Procedures to be used in promoting selected aides to patrolmen.

### Objectives:

To familiarize the trainees with the objectives and methods of selected police activities.

### Activities:

Combine lecture with discussion. Encourage trainees to describe police operations with which they are personally familiar. Have trainees take notes on police work as it is depicted in movies, television and detective stories. Have trainees cut out articles involving the police from newspapers and magazines. Discuss the ways in which the popular image of police activities resembles or differs from actual police work. Candidly discuss any shortcomings in police behavior that disturb the trainees.

### V. Major police operations.

#### A. Patrol.

##### 1. Purposes of patrol.

- a. To prevent crimes, accidents and conditions which endanger the safety, property and welfare of the public.
- b. To take corrective measures when such incidents and conditions occur.

##### 2. Methods of patrol.

- a. Prevent the development of criminal and other antisocial tendencies by such means as setting an example of honesty, efficiency, and fairness, and encouraging youth in high crime areas to engage in constructive activities.
- b. Reduce the opportunity (or the belief by individuals that the opportunity exists) for successful law violation, by providing a conspicuous police presence (uniformed officers on their beat) around the clock.

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- c. Observe and investigate insecure premises, unattended property, unwholesome conditions, suspicious persons, and persons in distress.
- d. When law violation is observed or reported, care for injured persons, arrest or pursue the suspected offender, protect the crime scene, conduct preliminary investigation, and testify in court.
- e. Preserve the peace when it is threatened by quarrels between neighbors, family fracas, quarrelsome drunks, and so forth, often by using persuasion, advice and other informal means.
- f. Provide a variety of services to the public, such as: informing store keepers how to secure their premises; discovering and reporting broken pavements, open man holes and other hazards; finding lost children; giving directions; and referring persons with problems to the appropriate agency for assistance.
- g. Control public gatherings, such as crowds at fires and accidents, demonstrations, theater queues, funeral processions, and voting places.
- h. Enforce regulations governing noncriminal behavior, such as those controlling fire hazards, the heating of apartment buildings,

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the preservation of food, the selling of liquor, and vehicular and pedestrian traffic.

- i. Patrol may be conducted on foot, by car, by motorcycle or motor scooter, and with dogs.
- j. Patrol provides the basic police services through the acting officers moving about within prescribed areas.

#### B. Investigative process.

- 1. The purpose of investigation is to convict the person who has committed crime(s) by ascertaining the facts of the crime and the identity of the offender, by arresting the offender, and by locating the witnesses and physical evidence needed to convict him.

- 2. Investigative methods.

- a. Patrol division duties respecting a reported or observed crime are of two kinds: direct action and preliminary investigation. Direct action consists of rendering first aid, arresting or pursuing the suspected offender, and protecting the crime scene. Preliminary investigation includes identifying witnesses, interrogating suspects, noting and reporting all relevant conditions, events and remarks, and yielding responsibility to detectives.

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b. Detective division duties consist of: continuing the investigation until the offender has been caught or until further efforts are judged futile; preparing the case for court; recovering the stolen property; and investigating other crimes, reported or unreported, which the suspect may have committed.

c. Continuing investigation ordinarily will require the use of auxiliary police services such as the laboratory and records division.

### C. Traffic supervision .

The three primary police traffic functions are the following:

1. Investigation of traffic accidents which involves gathering the facts needed to achieve the following objectives:

a. To determine whether violations of law occurred and to collect the evidence necessary for prosecution.

b. To enable those involved in the accident to exercise their legal rights.

c. To form the basis of a sound accident prevention program.

2. Direction of traffic, which involves instructing drivers and pedestrians how and where they may

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- move or stand, especially during periods of traffic congestion or in emergencies.
3. Traffic law enforcement, involving: patrol; the detection of illegal behavior of drivers and pedestrians and defects in vehicles and their equipment; and the application of corrective measures. Corrective measures include:
- a. Public education
  - b. Warnings, both oral and written
  - c. Traffic violator school
  - d. Notice of violation
  - e. Citation and prosecution
  - f. Arrest and prosecution.
- D. Juvenile delinquency prevention and control.
1. Purposes of delinquency prevention and control are:
- a. To promote constructive, law abiding behavior on the part of juveniles.
  - b. To correct conditions tending to cause delinquency.
  - c. To prevent delinquent youth from becoming confirmed in their delinquent tendencies.



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- d. To take into custody and refer to juvenile court, juvenile offenders whose offenses or records warrant such action.
  - e. To develop a favorable attitude toward law enforcement on the part of youth.
2. Methods for preventing juvenile delinquency-Youth Division.
- a. Inspect and supervise taverns, bowling alleys, drive-ins and other commercial establishments; parks, playgrounds and other such places where youth tend to congregate.
  - b. Promote community awareness of needed delinquency prevention programs.
  - c. Help to coordinate agencies operating youth programs in neighborhoods with high delinquency rates.
3. Methods for controlling juvenile delinquency-Youth Division.
- a. Investigate juveniles taken into custody to determine the appropriate corrective action.
  - b. Release juvenile to his parents with a warning, or
  - c. Release juvenile to his parents and refer the youth and/or his parents to an

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appropriate community service, on a voluntary basis, or

d. Refer the youth to the juvenile court.

E. Auxiliary service units.

1. Communications.

a. Purposes of communications:

(1) To allow police to receive citizen complaints promptly.

(2) To enable headquarters to transmit to the individual policeman routine and emergency orders and information.

(3) To permit individual policemen to give information, request assistance, acknowledge orders, etc., with respect to other individual policemen and headquarters.

(4) To enable exchange of information and requests with other departments.

(5) To enable police headquarters and district stations to maintain contact.

b. Methods:

(1) Call-box system

(2) Police radio and duties of dispatcher

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(3) Telephone and receipt of complaints

(4) Teletype.

#### 2. Records.

##### a. Purposes:

(1) To record, store and have available information which facilitates the work of the department's operating divisions.

(2) To aide supervision by providing a means of assessing the performance of individual police officers.

(3) To provide a basis for analyzing the needs and performance of various units and the department as a whole.

##### b. Major types of records:

(1) Complaint or case records

(2) Arrest records

(3) Criminal identification records

(4) Property control records.

#### 3. Detention.

##### a. Purposes:

(1) To keep persons in custody until their authorized release.

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- (2) To insure the safety of police officers processing prisoners.
  - (3) To insure the safety and well-being of prisoners.
  - (4) To supervise visitors to prisoners.
  - (5) To maintain custody of prisoners' property.
  - (6) To transfer prisoners to court, another jail or some other institution.
- b. Methods:
- (1) All duties are performed so as to minimize opportunity for escape or injury.
  - (2) Medical attention is provided for all injured prisoners. All unconscious prisoners should be examined by a doctor.
  - (3) Special care, separate cells or transfer to a hospital or other institution is used where the prisoner is suffering from a mental disorder, is intoxicated, is unruly, has attempted suicide, or is a juvenile or female.
  - (4) All incoming prisoners are carefully searched at time of booking in the presence of another police officer.

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- (5) Everything taken from a prisoner is itemized in the presence of another officer and the prisoner given the receipt.
  - (6) Inspection is conducted hourly to insure the security of the jail and the welfare of the inmates.
  - (7) Visitors are carefully supervised.
4. Laboratory.
- a. Purpose: to analyze evidence of crime.
  - b. Relevant disciplines:
    - (1) Pathology
    - (2) Chemistry
    - (3) Biology
    - (4) Physics.
  - c. Common techniques:
    - (1) Photography
    - (2) Pathological analysis
    - (3) Microscopy
    - (4) Casts of impressions
    - (5) Spectroscopic analysis
    - (6) Lie detector.



## PREVENTIVE PATROL TECHNIQUES

OVERALL OBJECTIVE: To develop an understanding of preventive patrol techniques and the aide's role in preventive patrol.

Material presented in this section is based on "Training Keys" Nos. 4, 21, 34, 37, and 57 published by the International Association of Chiefs of Police, Washington, D. C.; Richard L. Holcomb, Police Patrol, Springfield, Ill.: Charles C. Thomas, 1948; and O. W. Wilson, Police Administration, New York City: McGraw Hill, 1963.

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### OBJECTIVES & ACTIVITIES

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#### Objectives:

To describe the principles, basic methods and major limitations of preventive patrol.

I. Objectives, basic methods and major limitations of preventive patrol.

A. Objectives of preventive patrol.

1. Objectives of preventive patrol are derived from factors which are prerequisites for most crime. These conditions are:

Activities:

a. The offender's desire to commit the crime.

Combination of lecture and group discussion.

b. The opportunity--or the offender's belief in the existence of the opportunity--to commit the crime.

2. Preventive patrol can have little influence over the potential criminal's desire to commit a crime.

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3. Preventive patrol does attempt to:
  - a. Eliminate the opportunity for crime.
  - b. Create the belief that the opportunity for crime does not exist.
- B. Basic methods of preventive patrol.
  1. Methods assume that the criminal will be dissuaded from committing the crime if he knows that the risks of apprehension offset the benefits to be gained.
  2. Preventive patrol therefore attempts to convince the would-be criminal that police coverage is continuous and in sufficient strength to make the risks too great.
  3. Preventive patrol employs three basic methods:
    - a. Frequent checking of the physical security of business establishments, vacant dwellings, parked autos, etc., and frequent inspection and supervision of places under license and other places such as taverns, parks, and dance halls which constitute special crime hazards.
    - b. Surveillance and questioning of suspicious persons.
    - c. Gaining citizen understanding of, and cooperation in, reducing opportunities for crime.

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- C. Limitations on the effectiveness of preventive patrol.
  - 1. Preventive patrol is relatively effective in preventing crimes which take time to accomplish and which are committed on or near public streets.
    - a. Street assaults.
    - b. Car stripping by professional thieves.
    - c. Juvenile curfew violations.
    - d. Larcenies from parked autos.
  - 2. Preventive patrol is relatively ineffective in preventing certain other types of crimes. These include violations not subject to police surveillance, where the victim participates in the crime, and where the criminal is under extreme stress or otherwise incapable of exercising normal judgment.
    - a. Embezzlement.
    - b. Burglary or larceny committed by an addict in need of drugs.
    - c. Confidence games, prostitution and gambling in which the "victim" more or less willingly participates in the crime.
    - d. Aggravated assault by a husband on his wife in the course of a dispute.

## OBJECTIVES & ACTIVITIES

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- e. Public drunkenness committed by an alcoholic.

### Objectives:

To familiarize the trainees with techniques for increasing the security of places providing criminal opportunities.

### II. Methods of increasing the security of places offering criminal opportunities.

#### A. Know the area being patrolled.

1. Know the business places. Businesses provide criminal opportunities out of proportion to their numbers because:

- a. Most are not occupied at night and therefore are relatively likely to be burglarized.
- b. May have large amounts of cash or valuables on hand and therefore are relatively likely to be robbed during the day.

2. Certain types of business are more likely to be the victims of crimes than others.

- a. Liquor stores, supermarkets, gas stations, suburban banks, etc.

- b. Review those that are high risk in your area.

3. Know the protective devices in use. Check to make sure they are in working order. Recommend additional or better measures if needed.

### Activities:

Group discussion. Have the trainees quiz each other concerning the crime hazards and other significant features of the beats which they patrol while training on the job. Have the trainees repeat their own relevant experiences while on the job.

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4. Know the location of valuable goods so that extra attention can be given to them in the course of patrolling, and the owners advised of special precautions.
5. Know the owners, managers, and employees, the hours of work and related habits.
  - a. Many hold-ups occur when the business is first opened, at lunch time, when fewer employees are present, and at closing time, when maximum amounts of cash are on hand.
  - b. Persons in the establishment outside of regular working hours should be investigated.
6. Know all the entrances and exits, including those little used by the public, which a thief might enter.
7. Know the streets in the area being patrolled so that any unusual circumstances can be noted and so that travel, in connection with special assignments or emergencies, can be facilitated. Important to know are:
  - a. The location of dead-end streets and alleys
  - b. The names of all streets
  - c. The street numbering system and its variations



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- d. The location of temporary or permanent impediments to travel, such as heavy traffic, street repairs, etc.
- B. Check the physical security of business premises and other high risk locations, especially at night. Look closely at doors and windows. Watch for indications of crime such as:
  - 1. Jimmy marks on doors and windows
  - 2. Toolmarks on lock cylinder
  - 3. Missing door hinge pins
  - 4. Missing or broken window grates
  - 5. Broken or missing window panes.
- C. Inspect locations where crime often occurs.
  - 1. Such places include bars, hotels, bus stations, parks, etc.
  - 2. Identify specific locations constituting crime hazards in your city.
  - 3. When entering such a place,
    - a. Check its license.
    - b. Note layout so that you will know your way around if an emergency arises.

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- c. Learn to recognize by face and name those who frequent these establishments so that you will know where they can be found in case it is necessary to pick them up for something at a later time.

### Objectives:

To familiarize the trainees with the methods of identifying and questioning suspicious persons.

### Activities:

Group discussion. Officer leading discussion should be highly skilled in the techniques of identifying suspicious persons and in the methods of field inquiry. Have trainees role play field inquiry procedures. If the trainees' interpretation of what constitutes behavior or appearance differs from that of police, candidly discuss these differences.

### III. Methods of identifying and questioning suspicious persons.\*

#### A. Persons who should be questioned.

- 1. The person not fitting the place or time.  
Examples are:

- a. The well-dressed individual found in a high crime rate area at night. He should be questioned concerning his reasons for being in such a location and warned of the dangers.
  - b. A minor found late at night in the central business district, rooming house district, bar or nightclub. Such a person may be a runaway.
- 2. Unusual or suspicious action, such as:
    - a. The person dressed in black clothing and

\*It may not be advisable to routinely assign aides the duty of questioning suspicious persons. However, they should be familiar with the principles of field inquiry so that they can assist their patrolman supervisors and can conduct field inquiries themselves in emergencies.

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wearing darkened sneakers at night. He may be a burglar.

- b. The individual carrying a suitcase who is not in the vicinity of a bus or train depot and is not dressed as the average traveler. He may be carrying stolen goods.
- c. Persons carrying shopping bags in the evening after stores are closed may be carrying the proceeds of crime.
- d. The individual leaving a home or apartment building carrying an appliance may have stolen it.
- e. Cars with license tops bent so that they cannot be read may be stolen.

3. Loiterers. Examples:

- a. Juveniles hanging around a bus stop may be waiting to snatch a purse.
- b. The double-parked car can mean a robbery is in progress.

4. Persons who react suspiciously at the sight of a police officer, including those who:

- a. Drive or run away at the approach of an officer.
- b. Speed up when followed by a police car.

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- c. Pay too much attention or are studiously indifferent to the presence of a police officer.
- B. Field interrogation procedures.
  - 1. Combine caution with courtesy.
    - a. Caution is necessary, since the person to be questioned may be dangerous.
    - b. Courtesy is important, because many citizens resent any police contact, the original suspicions may be unfounded, and because discourtesy causes citizens to lose respect for the police.
  - 2. Approach the person to be questioned with care.
    - a. Select the location of the field contact with care, taking into consideration possible escape routes, the lighting, and the safety of bystanders as well as of oneself.
    - b. Approach the suspect from the rear if possible.
  - 3. The International Association of Chiefs of Police recommends the following tactics in approaching a suspect for questioning.
    - a. One officer and one suspect--the officer interrogating a suspect assumes a position which will permit him to block any blow with his left hand and take countermeasures

with his right. He places himself to the right and slightly ahead, facing the subject at an angle of about ninety degrees (left-handed officers should reverse the above procedure). At night the flashlight is held with the left hand to permit the instant use of the weapon.

- b. One officer and two or more suspects -- As in the case of one suspect, an officer questioning several suspects stands to the right and slightly to the front of the suspects. This enables him to keep full attention on the group. In the event he is attacked, he can use the suspect closest to him as a shield. Never commit the tactical error of permitting yourself to be surrounded by the suspects.
- c. Two officers and one suspect -- Two officers working together must operate as a team. Before stopping a suspect they must agree on what each one will do. The questioning officer places himself to the right and slightly to the front of the suspect, while the guard officer assumes a position to the rear of the suspect. The suspect is then kept off balance, as he cannot see the other officer, thus minimizing the possibility of attack.
- d. Two officers and more than one suspect -- Similar procedures to those used when two officers are questioning one suspect. However, in this instance, the guard officer assumes a position behind the subject



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farthest from the questioning officer. He can then watch the group while his partner conducts the field inquiry. It is a sound practice for the questioning officer to lead each suspect, in turn, several paces away from the group while he is being questioned. Always keep in mind to remain to the right and slightly to the front of the man being questioned.

### Objectives:

To acquaint the trainees with the principles involved in gaining citizen cooperation in preventing crime.

### Activities:

Group discussion led by an officer experienced in dealing with the residents of inner city slums. Have the trainees role play various situations in which typical problems of gaining citizen cooperation arise. Face the problem frankly of obtaining slum dwellers' support.

### IV. Methods of gaining citizen cooperation in crime prevention.

A. Become acquainted with people who because of their occupation are likely to acquire information useful in preventing crime.

1. Milkmen, paperboys and bread-truckmen work early in the mornings, cover a lot of ground, and observe activities which most people miss because they are still in bed.
2. Gas station attendants have a good chance to look a car over, see what is in the back seat and how much money the driver is carrying, and notice missing or obscured license plates.
3. Old people, unemployed persons, and others with time on their hands sit on the front steps or porch from which they may observe many suspicious activities. They will tip off the police if they regard the police as friends.

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4. Hotel clerks, bell boys and rooming house operators are in the position to spot suspicious articles or overhear conversations useful to police.
  5. Fellow police officers may have much information.
  6. Criminals may be useful as investigative resources. However, in order to avoid being accused of misconduct, obtain permission from superiors and keep them informed.
- B. Inform citizens of crime prevention techniques.
1. Among the precautions which house and apartment dwellers should be urged to take are:
    - a. Lock the outside doors whenever the house is left empty for any length of time.
    - b. Carry the door key on the person. Do not leave door keys where they can be found by a burglar.
    - c. Chain locks should be used to supplement regular locks.
    - d. All windows should have adequate locks.
    - e. Windows facing alleys should be covered by grills.
  2. Businesses should be inspected and the manager or owner advised to install such safeguards as are needed. These include:

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- a. Doors, door frames and locks which are constructed so as to resist forcing, slipping, etc.
  - b. Windows equipped with good quality locks, protective grills and bars, and alarm systems.
  - c. Skylights, ventilator shafts, roof hatches which are secured.
  - d. Sidewalk openings, including coal chutes and freight elevators, which are locked when not in use.
  - e. Window displays which are arranged so as not to block the view into the store.
  - f. Safes which are properly locked and placed in a position where they can be easily seen from the street and are well lighted.
  - g. Burglar alarm system which is connected to all possible entry places, is resistant to tampering and is regularly tested.
- V. Miscellaneous techniques of preventive patrol.
- A. Be systematically unsystematic when patrolling.
    - 1. Committing crime is made much easier when a police officer can be counted on to be at a given place at a particular time.

### Objectives:

To familiarize the trainees with other techniques to be used in preventive patrol.

### Activities:

Use methods of discussion

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described above.

2. Therefore, patrol so that the public, including offenders, knows that the police are on the job, yet does not know where they will be at any one time.

a. Backtrack by returning down a street or alley which has just been patrolled.

b. Circle back by driving around the same block twice.

c. If on foot, step into a doorway or other place where you can see without being seen and wait a few minutes.

B. Adjust patrol tactics to criminals' patterns of operation.

1. Criminals tend to develop methods of operation (modus operandi) which characterize their activities.

2. Devote limited patrol time to those locations which, on the basis of past incidents of crime, are likely to be the scene of future crime.

3. Enlist the assistance of citizens most likely to be the victims of crime by providing them with information they need to better protect themselves.

C. Select patrol routes which best facilitate crime prevention.

1. Frequently patrol side streets, alleys, loading docks, etc.

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- 2. Do not limit patrol to routes which are most convenient, safe, etc.
- D. Know what to look for when patrolling.
  - 1. Look at the glass in windows as well as through it. A window which is broken out cleanly is not easily noticed.
  - 2. Look for disorder in display windows. The thief may have broken a side window or entered from the rear.
  - 3. Look at the floors in stores. Most burglars work fast and throw unwanted merchandise on the floor.



## INVESTIGATIVE TECHNIQUES

OVERALL OBJECTIVE: To develop an understanding of the basic principles of investigation.

Materials contained in this unit are modelled closely on "Training Keys" Nos. 3, 5, 10, 29, 39, 45, 46, 51, 72, and 86 published by the International Association of Chiefs of Police, Washington, D. C.

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### OBJECTIVES & ACTIVITIES

#### Objectives:

To explain the basic principles upon which the techniques and procedures of various types of police investigation are based.

#### Activities:

Combination lecture and discussion. Have trainees discuss examples from their own experience, including experience from the on-the-job phase of the training. Observe one or more sites of an accident or crime investigation.

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### CONTENT

#### I. Introduction to the police investigation.

##### A. Reasons for investigation.

1. The most basic police functions are to protect lives and property and to maintain the peace. When crimes and accidents occur, the police must undertake their basic job, which is to investigate the incident in order to bring the offender before a court to answer for his wrongdoing.
2. Investigation leading to the detection, apprehension, and conviction of a criminal or traffic offender serves to prevent the person from committing other violations in the future.
3. Investigation of a series of traffic violations or crimes provides information necessary to the more efficient use of police resources for the prevention of future crimes and offenses.

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#### B. Basic types of investigation.

1. Investigations of violations of laws and ordinances; this type is of primary importance for patrolman aides:
  - a. Crimes.
  - b. Traffic violations.
  - c. Violations of sanitation codes, etc.
2. Personnel investigations involving an evaluation of the character, background and suitability of candidates for public office.
3. Investigation of conditions tending to produce crime, such as investigations of organized crime and studies of the effect of poverty, deficient community facilities, and similar factors upon delinquency.

#### C. Information as contrasted with evidence.

1. Investigation is directed toward the gathering of information, not evidence.
2. Evidence is that information which is presented in court. It represents only a fraction of the information which police gather during an investigation.
3. Much evidence which police gather is not admissible as evidence. It nevertheless may have

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great value in aiding the police to obtain information which can be used in court. Examples of inadmissible but useful information are:

a. Tips

b. Rumors

c. Lie-detector findings.

#### D. Sources of information.

1. People constitute one major source of information.

a. Victims may be able to:

(1) Identify the offender

(2) Describe the suspect

(3) Describe the direction and method of flight

(4) Suggest suspect's motives.

b. Witnesses may be able to:

(1) Describe the objects taken

(2) Tell what the offender said

(3) Describe what the offender did

(4) Identify surfaces the offender touched.

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- c. Offenders may be willing to:
    - (1) Provide facts consistent with information from witnesses and victim
    - (2) Give their motives
    - (3) Involve other persons
    - (4) Describe other offenses.
  - d. Information obtained from people is of relatively poor value as evidence because:
    - (1) People lie
    - (2) People misperceive
    - (3) People can be impeached
    - (4) People have faulty memories.
2. Things (physical objects) are the other major source of information. Every crime or accident results in either physical changes or in transfers of materials which later may be verified.
- a. Physical changes in the victim's condition--injuries caused by weapons (gun or knife), chemicals (poison, acids, drugs), impact with vehicle, etc., resulting in loss of blood, skin, clothing, etc.

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- b. Physical changes in the suspect's condition--injuries caused by fight with the victim (scratches, bruises, bites), by the impact of the collision or other accident (cuts, broken bones).
- c. Physical changes in the scene's condition:
  - (1) Things broken, such as windows, locks, doors, headlights
  - (2) Things dented, such as windowsills, earth, fenders
  - (3) Things moved, such as windows, curtains, drawers
  - (4) Things destroyed, such as building burned, serial numbers removed.
- d. Materials transferred from scene or victim:
  - (1) Tools used in the crime
  - (2) Property of the victim.
  - (3) Blood, hair, clothing fibers of the victim.
- e. Materials left by the offender on the scene or victim:
  - (1) Bullets
  - (2) Bad check



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(3) Weapon

(4) Clothing

(5) Fingerprints

(6) Blood

(7) Tool marks

(8) Tool fragments.

f. Physical objects have relatively good value as evidence.

### Objectives:

To explain the major steps in the preliminary investigation and the importance of this phase of the investigative process.

### Activities:

Outline the steps in the preliminary investigation through a combination of lectures and discussion. Role play each of the major steps.

### II. The preliminary investigation.

#### A. Purposes of the preliminary investigation.

1. To establish the foundation on which a thorough follow-up investigation can be built.
2. To provide prompt first aid to the victims of crimes or accidents.
3. To apprehend the offender.
4. To demonstrate to the victim, witnesses, and bystanders that the police are efficient and concerned.

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#### B. Steps in the preliminary investigation .

Preliminary investigation consists of several related processes.

#### C. Proceed to the scene promptly and safely .

1. Avoid reckless driving which may cause an accident, endanger lives and prevent or delay arrival at the scene of the accident or crime.

2. Prompt arrival permits first aid to be given to injured persons who otherwise might die or suffer permanent injury.

3. Prompt arrival greatly increases the chance of apprehending the offender.

4. Prompt arrival lessens the chance that evidence at the scene will be contaminated or destroyed unknowingly by by-standers or other well-meaning persons.

5. Prompt arrival lessens the chance that witnesses will have disappeared or decided to refuse to talk to the police or discussed their observations with others and thereby distorted their story or become confused as to what they actually saw.

#### D. Render assistance to anyone injured .

1. First priority is to preserve and protect life, which takes priority over pursuing the offender.

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2. However, the patrolman aides may render the assistance while the patrolman chases the offender.
  3. Assistance may involve giving first aid, calling an ambulance, taking the victim to the hospital, etc.
- E. Cause the arrest of the offender .
1. Determine whether a crime has been committed. Ask the complainant, victim or witnesses a few questions and observe any traces the criminal may have left (tool marks, weapons, etc.). The investigating officer should not accept accounts of those present at face value.
  2. If the suspect has fled, the officer and aide collect the basic information needed to alert other units. This information may include:
    - a. Physical description of the suspect
    - b. Identification of the suspect
    - c. Suspect's intended destination or residence
    - d. Suspect's direction of flight
    - e. Make, year, body type, color, license number and number of occupants of suspect's car.
  3. Broadcast the radio alert as soon as possible.

## F. Locate and identify witnesses.

1. Ask cooperating witness to point out other persons present at the time of the accident.
2. Record the license numbers of cars leaving the scene. In major crime investigations note the license numbers of cars parked near the scene.
3. If there is a large number of witnesses, obtain a brief general statement from a couple and then the names, addresses and telephone numbers of the others.
4. Accurately identify all witnesses in the field notes and reports filed. Verify names and addresses by comparing them with identification cards. Record business phone numbers, if possible.

## G. Interview the complainant and witnesses.

1. The purpose of the preliminary interview is to obtain as much relevant information as quickly as possible. Therefore, the complainant, who has come into contact with the suspect and who shows no reluctance to questioning should be interviewed first. Next, interview eye witnesses. Finally, interview persons having information about the events preceding the crime or accident. During the preliminary investigation the suspect should be questioned only as to the identity of other suspects and to obtain admissions of guilt.

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## OBJECTIVES & ACTIVITIES

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2. Calm the victim and witness who may be hysterical, angry, in shock, etc.
3. If possible, separate the witnesses so that they will not influence each other.

#### H. Maintain the crime scene .

1. Except where necessary to give first aid or arrest a suspect, do not disturb the scene of the crime or accident until an examination has been made to determine the extent of the crime scene area.
2. Keep all unauthorized persons away from the scene until photographs, sketches, casts, etc., have been made.

#### I. Take notes.

1. As soon as practical the officer and the aide should begin to take notes on all pertinent information.
2. Include such items as:
  - a. Time of arrival on the scene
  - b. Weather conditions
  - c. Estimated time of the incident
  - d. Approximate time incident was discovered
  - e. Identity of other officers



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- f. Results of interviews
  - g. Identity of witnesses, victims, and suspect
  - h. Other remarks relevant to the case.
- J. Report the incident.
- 1. Report the crime or accident on proper departmental forms.
  - 2. Be complete and accurate.
- K. Arrange for the collection of evidence.
- 1. All articles which may be of value as evidence must be collected.
  - 2. In some departments this is the patrolman's responsibility. In many others, it is the duty of special evidence technicians. In these cases, the patrolman or aide will call the technician.
- L. Yield responsibility to the follow-up investigator.
- 1. The preliminary investigation ends when the patrolman yields responsibility for additional investigation to a detective.
  - 2. The point of transition will depend on departmental policy.

## OBJECTIVES & ACTIVITIES

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### Objectives:

To emphasize the importance of the crime or accident scene, and familiarize the trainee with the precautions to be taken in protecting the scene.

### III. Crime (or accident) scene protection.

#### A. Importance.

1. Success of a criminal investigation depends upon both the thoroughness and the immediacy of the preliminary investigation.

2. Protection of the scene is a key element in the preliminary investigation.

### Activities:

Use a combination of lecture and discussion. If possible, have aide trainees practice their role in protecting the scene on the field.

- a. Information leading to the suspect's apprehension may be lost, destroyed, or rendered unusable unless the scene of the incident is satisfactorily protected.

- b. Evidence of the suspect's guilt may be weakened or rendered inadmissible unless the scene is protected.

#### B. Need for prompt arrival.

Minutes may make the difference between immediately and easily obtaining conclusive evidence, and a lengthy and perhaps futile investigation.

1. Wind may cover footprints.
2. Rain may dissolve bloodstains.
3. Fingerprints may be obliterated or obscured.
4. Paint chips may be swept up and thrown out.

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C. Definition of the scene.

1. The location in which the crime or other incident took place.
2. Where any overt act relating to the crime or accident occurred.
3. The central point from which investigation begins.

D. Definition of preserving the scene.

To keep the site of the crime or other incident in the same physical condition as it was left by the perpetrator.

E. General procedures.

1. Officer first arriving on the scene is responsible for securing the focal point of the incident and thereafter must extend protection outward to the perimeter of the scene. Examples are:

- a. Hallways leading to room in which crime occurred
- b. Parking lot, paths, or other areas adjacent to building in which incident occurred
- c. Roadway and sidewalks adjacent to auto accident.

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## OBJECTIVES & ACTIVITIES

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2. He and his aide must maintain protection until relieved by detectives, evidence technicians or other investigators.
3. All persons not engaged in the investigation must be excluded from the scene. Examples are:
  - a. Newspaper reporters
  - b. Passersby
  - c. Witnesses
  - d. Police officers not officially responsible for investigating the incident
  - e. Owner of premises who may wish to clean up.
4. Touching, handling, stepping on, or otherwise damaging or removing traces of the perpetrator must be avoided. Examples of traces which must be preserved are:
  - a. Footprints, tire marks and impressions made by a ladder which may be obliterated by carelessly walking over them.
  - b. Tool impressions left on doors or windows and on safes, drawers, or cabinets which can be matched against test markings made by the same tool used by the criminal.
  - c. Spent bullets which can be used to determine the gun used.

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## OBJECTIVES & ACTIVITIES

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- d. Fragments of glass which may indicate the direction of impact.
- e. Blood and other stains which may be matched with the suspect or his victim.

#### IV. Special problems related to fingerprints, bloodstains, and toolmarks.

##### A. Fingerprints.

##### 1. Importance.

- a. Fingerprint evidence differs from other evidence in that only one person and only one finger of that person can make a given print.
- b. The uniqueness of fingerprint evidence establishes without a doubt the presence of the suspect at the scene.

##### 2. Types.

- a. Latent prints are formed by perspiration and oil that coat the finger. Normally not visible without treatment.
- b. Visible prints result when a finger is covered by some substance (blood, oil, dirt) which is transferred to a surface.
- c. Plastic or moulded prints are produced by touching a soft surface such as soap, wax, or putty.



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3. Stability of latent prints is affected by:
  - a. Climate. Rain or snow will destroy prints immediately, a hot sun will dry them out in a matter of minutes, and wind will increase the rate of deterioration.
  - b. Surface. Prints left on a smooth non-porous surface, such as metal, glass, ceramic, and enamel will last longer than those on porous surfaces such as fabric, paper or raw wood.
4. Usual locations of prints:
  - a. Furniture which has been moved out of place
  - b. Ash trays, lamps and other objects scattered about
  - c. Surfaces near points of entry such as window sills, window panes, door jambs
  - d. Dressers, desks, tables
  - e. Tools and weapons left at the scene.
- B. Bloodstains.
  1. Importance.
    - a. Blood found at the scene, on the suspect, the victim or weapon may be part of the chain of evidence needed to convict.

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- b. However, analysis of blood cannot provide conclusive identification of an individual since many individuals have the same type of blood.
  - c. The number, the relative position and shape of the stains are useful in estimating the attacker's position, the manner in which the weapon was used, and the direction of the attack.
  - d. Blood smeared on door knobs, furniture, the floor, etc., can be used to trace the movements of the injured person and reconstruct what occurred.
2. Bloodstains may take on many colors, which complicates its identification.
- a. A thin layer of blood may be greyish-green.
  - b. Sunlight, heat, weather or water used to wash away the blood will cause bloodstains to lose their luster and appear grey.
  - c. Bloodstains on wallpaper may absorb the paper dye and appear as green, blue or greyish-white.
  - d. Wine, feces, coffee, vomit may discolor bloodstains.
3. Other types of stains may take on the appearance of bloodstains.

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a. Paint

b. Lipstick

c. Rust.

4. Field chemical tests may be used to identify bloodstains.

5. Places where bloodstains often are found:

a. In wall seams and cracks in areas which appear to have been recently washed.

b. Under furniture.

c. Kitchen sinks, laundry tubs, bathtubs and toilet bowls in which the criminal may have washed his hands or clothing.

d. Soap, soap dishes, and detergent containers.

e. Curtains, slipcovers, bedding, and towels which the criminal may have used to wipe himself.

f. Clothes of the victim and the suspect.

C. Tool marks.

1. Definition.

Tool marks are the imprint left by an instrument on a surface or object which is softer than the instrument.

## 2. Importance.

Tools such as a hammer, screw driver or pry bar have numerous ridges and irregularities on their surfaces and edges which are unique to each tool. They may be matched against marks left by the tool at the scene and thus identify the tool which was used to commit the crime.

## 3. Types of tool marks.

- a. Impressions or indentations. They may be made by sudden blow (e.g., a hammer hitting a safe or a skull) or by the application of pressure (e.g., a pry bar wedged between a window sash and sill).
- b. Striations or scratches made by the tool such as those left by a chisel slipping on a safe, and by a bolt-cutter on a padlock.
- c. Combinations of impressions and striations. These are more common than impressions and striations by themselves.

## 4. Locations of tool marks.

- a. Striations are most frequently left on cash boxes, cash registers, door locks, safe dials, and vending machines.
- b. Impressions are most frequently found on doors, windows and safes.

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### 5. The tool.

- a. The tool is as important as the tool marks and should be located, if possible.
- b. A tool may deposit paint flakes, oil or dirt at the point of usage at the scene.
- c. A tool may also pick up wood fragments, metallic dust and other materials at the crime scene.
- d. A suspected tool must not be cleaned of its foreign substances nor should it be compared with the tool marks by fitting it against them.

### Objectives:

To acquaint the trainees with the principles of interviewing and to enable them to practice their application.

### Activities:

Lectures, group discussion, role playing and demonstrations may be used. An experienced interviewer should either lead the discussion or act as resource person.

### V. Interviewing.

#### A. Interviewing versus interrogation.

1. Interviewing is the process by which a police officer (or patrolman aide) obtains or seeks to obtain information concerning a crime, accident, or other incident or situation of interest to police from a person who gives his information willingly.
2. Interrogation is the process by which a police officer attempts to obtain information about a crime, accident, or related matter from a person who is unwilling to provide the information. Such a person generally is a suspect but may also be a witness or even victim.



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B. Basic principles of interviewing.

1. Timing.

- a. In general, the best time to conduct an interview is as soon after the incident as possible.
- b. Accuracy of recall declines with time; witness is more likely to be influenced by others as time passes, etc.
- c. However, it may be necessary to delay the interview if the subject is emotionally upset and cannot be calmed. Similarly, interviews with persons who are cold, hungry, sleepy or in pain may have to be postponed.

2. Setting.

- a. Conduct the interview in a setting which permits privacy. Fear of being overheard may cause the subject to refuse to talk or to lie.
- b. Conduct the interview in a location free from distractions. Serious distraction such as ringing phones, interruptions by onlookers, screaming sirens, etc., will disrupt the subject's train of thought.
- c. When an optimum setting for an interview cannot be found obtain the essential facts and follow up later under more favorable circumstances.

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3. Eliminate physical barriers.
  - a. Developing easy communication with the subject will be hindered if the interviewer and subject are separated by physical barriers.
  - b. Psychological barriers will be lessened if the interviewer is not separated from the subject by a counter or desk or by too great a space between chairs.
4. Prepare for each interview.
  - a. Have as much relevant information at hand as possible before beginning an interview, even though there are pressures to begin interviewing immediately.
  - b. Background information enables the interviewer to control the interview, evaluate the information he is getting, impress the subject and persuade him to be fully cooperative.
- C. Interviewing techniques.
  1. Develop rapport with the subject.
    - a. At the outset attempt to establish a harmonious relationship with the subject.
    - b. Display sincere friendly interest in him.
    - c. Be patient and courteous even though the subject is hostile or uncooperative.

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- d. If the subject is reluctant to talk, try to discover the cause of his reluctance.
  - e. Attempt to counteract the reasons for his reluctance by appealing to his reasonableness, interest in justice, friendship with the victim, etc.
2. Keep the subject talking by:
    - a. Keeping your own talking to a minimum.
    - b. Encouraging the subject to use his own words.
    - c. Avoiding questions which permit "yes" or "no" answers.
    - d. Taking care not to interrupt.
    - e. Repeating the subject's last phrase with a rising inflection on the last word so that it becomes a question (the nondirective technique).
    - f. Waiting until the subject breaks the silence after a long pause instead of jumping in.
3. Ask general questions which will enable the subject to tell his story in his own words.
    - a. Use specific questions to clarify certain statements.

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- b. Use specific questions to get a reticent subject talking.
- 4. Evaluate what the subject is saying by how he says it or what he fails to say.
  - a. Sudden silence may mean that the subject is unsure whether to share certain information.
  - b. An abrupt shift in topics may mean that information is being withheld because it is too embarrassing or painful.
  - c. Emotional responses may be caused by guilt feelings.
- 5. Avoid leading questions which may cause the subject to say something he doesn't mean.
- 6. Avoid asking questions so rapidly that they confuse or bother the subject.
- D. Sources of witness error.
  - 1. A number of factors influence the way a person perceives and describes events. The patrolman aide should be aware of these factors and how they may distort the information a witness gives him during an interview.
  - 2. External physical factors.
    - a. These include the presence or absence of conditions which interfere with the ability to perceive and recall events.

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- b. Examples are the amount and type of light, weather conditions, noise, distance from the event, smells, smoke and other gases, etc.
  - c. The passage of time will significantly influence how much of an event can be remembered and described.
3. Physical condition of the witness.
- a. People vary greatly in acuteness of sight, hearing, smell, taste and feeling.
  - b. Physical factors which may limit perception are uncorrected nearsightedness, color blindness, uncorrected deafness, extreme youth or old age, and illness or disease which may temporarily interfere with some or all of the senses.
  - c. Physical factors which limit a witness' ability to describe an event are injuries, speech defects, and being deaf and dumb.
4. Emotional condition of the witness.
- a. Persons who are angry, frightened, excited, anxious, etc., perceive only a small proportion of what they would normally perceive, and their perceptions may be severely distorted. A severe emotional reaction can cause loss of memory of the event.



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- b. Examples are victims of assault, robbery, rape and accidents who can give only a limited description of the event or may give an incorrect description.
- 5. Experience, interest and education.
  - a. In general, the more familiar or interested a person is with what he is viewing, the better able he is to observe it accurately.
  - b. In general, the better a person's education, the better he is able to communicate accurately what he perceived.
- 6. Prejudice.
  - a. Persons tend to see and hear what they want to see and hear.
  - b. Persons consciously or unconsciously may slant their description of people and events in accordance with their biases.
- 7. Patrolman aides should be aware that these same sources of error may affect how they conduct the interview, react to witnesses, and recall the results of their investigation.

### Objectives:

To impress upon the trainees the importance of good field notes and help them acquire the skills needed to take such notes.

### VI. Field notes.

- A. Importance of good field notes.

## OBJECTIVES & ACTIVITIES

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### Activities:

Lecture and group discussion may be combined with sessions in which the trainees practice taking notes under simulated field conditions.

1. Field notes aid the preliminary investigation.
    - a. Help to recall additional facts.
    - b. Assist in identifying inconsistencies in witness' stories.
    - c. Suggest new lines of questioning.
  2. Field notes may aid interrogation. In situations in which the investigative report has not yet been prepared, patrolman or aide consults notes when briefing interrogating officer on the facts recorded during the preliminary investigation.
  3. Field notes aid accurate testimony.
    - a. Field notes assist the officer or aide in giving accurate, complete testimony in court.
    - b. Field notes can aid a witness in recalling what he said during the preliminary investigation and may be used to counteract denials or changed testimony of witnesses and the accused.
- B. Techniques.
1. Take notes as the information is obtained.
    - a. Information may be forgotten if not put down as it is obtained.

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- b. Information may be lost (victim dies, witness leaves) if not put down immediately.
  - 2. Make notes as complete and accurate as possible.
    - a. Complete and accurate notes facilitate the preparation of the report.
    - b. Incomplete or inaccurate notes may be used by the defense to discredit the testimony of the officer or aide.
  - 3. Write notes legibly.
  - 4. Omit irrelevant information.
  - 5. Entries should be properly identified (page number, the date, time, location, case number, identification of parties, etc.)
- C. Information to be recorded.
- 1. Most notes will result from interview.
  - 2. Other kinds of information to be recorded include administrative (new assignments, new laws and procedures, court appearance dates, special events, etc.) and operational (descriptions of wanted persons, descriptions of stolen property, hazardous conditions on beat, etc.) details.

## TRAFFIC DIRECTION AND CONTROL\*

OVERALL OBJECTIVE: To develop an understanding of the principles of vehicular and pedestrian traffic regulations.

### OBJECTIVES & ACTIVITIES

### CONTENT

#### Objectives:

To acquaint the trainees with the principles of intersectional and parking control.

#### I. Principles of intersectional traffic and parking control.

##### A. Need for intersectional control by police.

1. Traffic signals ordinarily are sufficient.

2. However, special circumstances frequently arise which require police action.

#### Activities:

Introduce topic with brief lecture. Demonstrate the equipment and procedures used in intersectional and parking control. Have the trainees practice the techniques in the classroom, and under simulated traffic conditions. Follow with practice on the job under close supervision.

a. Heavy traffic movement during rush hours.

b. Obstacles to traffic caused by construction, street repair, etc.

c. Special events, such as parades, funerals, sports and fairs which require special handling.

d. Defective traffic signals.

##### B. Principles of intersectional control.

1. Proper clothing:

\*Materials presented in this section are based closely on "Training Keys," Nos. 2, 22, and 30, International Association of Chiefs of Police; and on O. W. Wilson, Police Administration, Second Edition, New York: McGraw Hill, 1963.

- a. Protective clothing, such as rain coat, cap cover, gloves, etc., must be worn or be readily available for use when needed.
  - b. High visibility clothing, such as slip-over vest and hat cover, should be used at night.
2. Proper position in the roadway.
- a. Position must give the officer or aide an unobstructed view of the intersection and its approaches.
  - b. Position must also place the officer or aide where they can be seen easily by motorists.
  - c. Center of the intersection:
    - 1) Greatest visibility.
    - 2) Most hazardous.
    - 3) Usually selected when traffic signals are not working, when traffic is not moving at high rate of speed and when there is little pedestrian traffic.
    - 4) Do not use if officer or aide must stand in path of traffic or there is too little clearance between opposing flows of traffic.
  - d. Corner position:
    - 1) In the street a few feet off the curb at one corner of an intersection.
    - 2) Use at intersection having pedestrian traffic or where center position would be too dangerous.

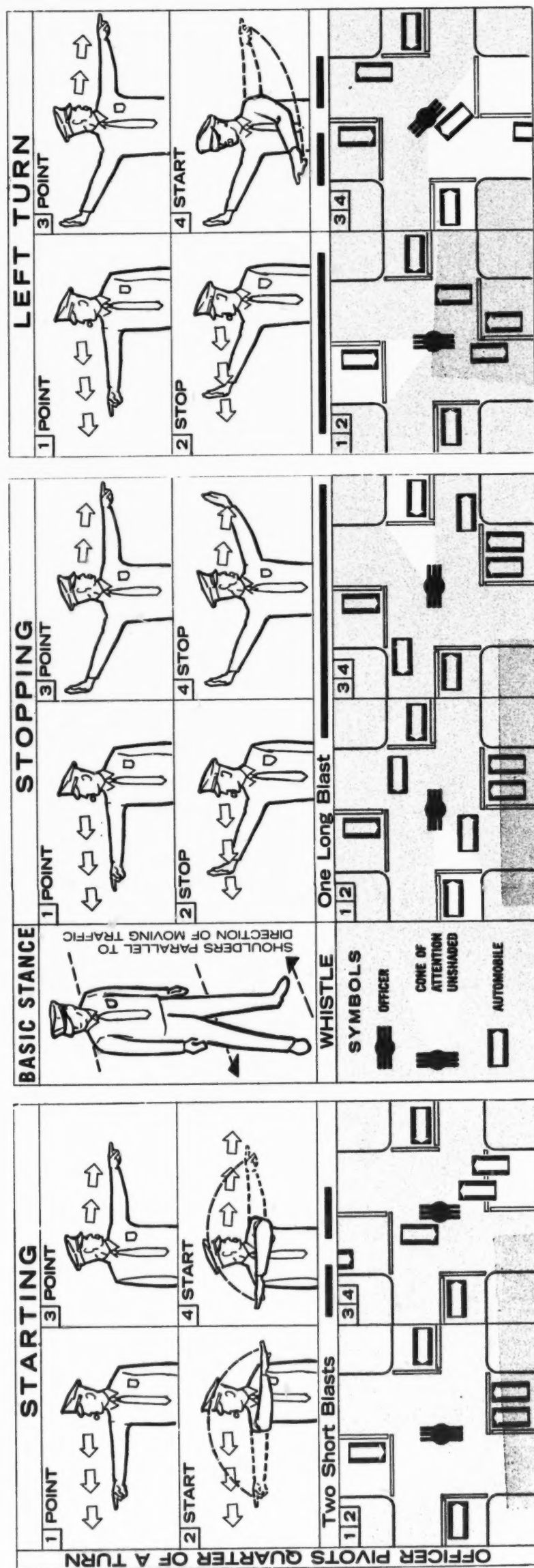


3. Basic posture and position.
  - a. Posture should indicate command of the situation.
  - b. When not signaling motorists, stand at ease facing traffic with hands at sides.
  - c. When directing traffic stand with shoulders parallel to flow of traffic.
- C. Hand signals to stop traffic.
  1. Select vehicle to be stopped and, while looking straight at driver, point at him.
  2. Hold this position until seen by driver, then raise hand so that palm is facing driver.
  3. Hold this position until oncoming vehicle and other traffic has stopped, then, while still holding arm extended, turn head in the opposite direction and repeat procedure with other arm.
  4. Neither arm is lowered until all traffic has stopped.
- D. Hand signals to start traffic.
  1. Pivot to face traffic to be started.
  2. Attract attention by pointing to lead car.
  3. Turn palm inward and bring hand up and over to the chin, bending arm at the elbow.
  4. Repeat gesture until traffic begins to move, then drop arm to side and repeat gesture with other arm to start opposing traffic.

## E. Use of the whistle:

1. Use in moderation, but blow loudly.
2. One long blast is combined with appropriate gestures to stop traffic.
3. Two short blasts are used to start traffic.
4. Short rapid blasts are used to warn of turning vehicles, improper turns, approaching ambulance, etc.

## TRAFFIC CONTROL\*



F. Principles to be followed in regulating traffic.

1. Regulate the flow of traffic.

- a. If intersecting streets have same amount of traffic, allow traffic on each to move same amount of time.
- b. If one such street has more traffic, give it more running time.
- c. Long runs reduce time lost by frequent changes of traffic direction.
- d. Stop line of traffic if it appears it will back up and block intersection.
- e. Expedite flow by signaling stragglers and slow drivers to accelerate.
- f. Prevent double parking which interferes with flow of traffic.

2. Control vehicle turns.

- a. If traffic is very heavy or spill-back is caused by another intersection and congestion is increased by turning, direct drivers to continue straight ahead.
- b. Prevent improper turns.
- c. Assist driver turning left during heavy traffic by: directing him to left lane, allowing immediately approaching vehicles to pass, then stopping remaining oncoming traffic and directing motorist to turn.

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3. Coordinate flow of traffic with other intersections in the area.
  4. Protect pedestrians.
    - a. Pay special attention to children, the blind, lame persons and the elderly.
    - b. Prevent pedestrians from jaywalking.
  5. Assist emergency vehicles.
    - a. Stop all traffic when emergency vehicle approaches.
    - b. Give driver a "go" or "turn" signal to indicate intersection is clear.
  6. Assist people seeking information.
    - a. Carry a map or street guide.
    - b. If detailed explanation is needed, direct person to curb and answer his question there.
    - c. Continue to observe traffic while giving information.
  - G. Parking regulations.
    1. Overtime parking: issue warning or citation in accordance with local regulations.
    2. Parking endangering public safety.
      - a. Parking at fire hydrant, double-parking, parking across pedestrian crosswalks, etc., creates risks to the life and property of citizens.



## OBJECTIVES & ACTIVITIES

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- b. Issue citation.
- c. In accordance with local regulations, have vehicle removed or impounded.

### II. Traffic law enforcement.

#### A. Traffic laws and regulations.

Objectives:  
To familiarize trainees with principles of traffic law enforcement.

- 1. Purpose of traffic laws and regulations:
  - a. To discourage behavior which causes accidents, inconvenience or congestion.

- b. To improve vehicular equipment and pedestrian's habits.

#### Activities:

Combine lecture, group discussion and role-playing.

- 2. Review of major traffic laws and regulations of local jurisdiction.

#### B. Application of traffic laws and regulations.

- 1. Most police-citizen contact comes about as a result of traffic violations.

- a. Approximately 16 million summons for moving violations are issued each year throughout the country.

- b. Approximately 30 million parking tickets are issued annually.

- 2. Citizen support for law enforcement is influenced by the way police handle traffic violations.

- 3. Most traffic violators do not think of themselves as criminals and resent strict law enforcement uniformly applied.

4. Condoning violations under nonhazardous circumstances, on the other hand, tends to encourage violations in hazardous situations.
5. However, enforcement latitude in the form of nonpunitive sanctions (warnings, notice of violation, traffic school) combined with the selective application of punitive sanctions (arrest or summons leading to fine, license revocation or jail) minimizes both the problem of public resentment and the risk to public safety resulting from excessive condonation.
6. Possible areas for enforcement latitude.
  - a. Double-parking:
    - (1) Where it doesn't interfere with traffic flow and driver remains in car.
    - (2) Where trucks have no adequate loading zone facilities.
  - b. Overtime parking:
    - (1) Where it is not excessive.
    - (2) Where it does not inconvenience the public.
  - c. Nonresident drivers: minor violations.
  - d. Speeding: not so far in excess of posted limits as to be hazardous.
  - e. Defective lights: burned-out tail light, which driver may not notice.

## C. Handling the traffic violator.

## 1. Characteristics of the violator:

- a. Human nature to be unable to admit one's own errors, including bad driving.
- b. Most people tend to blame their mistakes on something or someone other than themselves.
- c. Police officer stopping traffic offender must be prepared to be accused of being unfair, stupid or worse.
- d. Being stopped for a traffic violation and the punishment which it implies causes an emotional response in most persons.
- e. Police officer must be prepared to deal with people whose emotional responses will range from mild anxiety to rage or hysteria.

## 2. Behavior of the officer or aide:

- a. Must not give the impression that the traffic offender is morally base, criminally inclined or deserving of punishment.
- b. Must behave in an objective, morally neutral manner.
- c. Must remain calm, despite abuse and other provocation.

## 3. Issuing the ticket:

- a. Having decided to stop the traffic violator, the aide must immediately decide whether to warn him or issue a summons. (Aides will not take offenders into physical custody.)

- b. If police radio is available (e.g., in police car), notify dispatcher of the location of the stop and the violator's license number. At the same time, check it against own stolen car list.
  - c. After greeting violator politely, immediately inform him:
    - (1) That he was observed driving in a violation of the law (e.g., speeding, illegal turns, etc.).
    - (2) Of the action which is to be taken (e.g., warning or summons).
  - d. Request driver's license and registration certificate and check them.
  - e. Instruct the driver to remain in his car, and return to curb side of police car and write out the summons.
  - f. Check with dispatcher to learn if there are any warrants outstanding against the driver.
  - g. Give violator a copy of the ticket and explain what he is expected to do about his ticket. Avoid guessing what his penalty will be or offering other unnecessary advice.
- III. Accident investigation.
- A. Responding to the assignment.
    - 1. Obtain as much information as possible from the dispatcher.

## OBJECTIVES & ACTIVITIES

## CONTENT

### Objectives:

To familiarize trainees with principles of accident investigation.

### Activities:

Combine lecture, group discussion, and practice under simulated conditions.

- a. Type of accident.
  - b. Extent of injuries.
  - c. Location.
  - d. Number of vehicles involved.
2. If no injuries or other emergencies are reported, drive to scene at normal rate of speed observing all traffic laws.
  3. If an emergency is reported, drive to scene as quickly as possible following procedures for emergency driving.
- B. Arrival at scene.
1. Prevent the accident from getting worse.
    - a. If accident is minor, park police car off the road or at the curb and direct the drivers of the vehicles involved in the accident to do likewise.
    - b. In serious collisions in which persons are injured or the vehicles disabled, the police car is parked in back of the vehicles.
    - c. Emergency flashing light is kept on throughout the investigation, and at night headlights are kept lit. Flares or reflectors may be set out several hundred feet behind the parked vehicles.
  2. Treat the injured.
    - a. Immediately apply first aid to persons seriously injured.



- b. If the injured can walk, they should be moved to the curb.
  - c. Victims unable to walk should be removed using the approved first aid techniques.
3. Protect property.
- a. Collect personal belongings of the injured and give them to relatives or friends if possible. Otherwise lock in police car.
  - b. Keep bystanders away.
  - c. Have vehicle towed away and impounded without owner's consent when:
    - 1.) Driver is arrested or hospitalized.
    - 2.) Disabled vehicle is a traffic hazard.
    - 3.) Vehicle is stolen or used in a crime.
  - d. Prepare inventory list of easily stolen accessories and equipment and have tow truck driver sign it.
- C. The investigation: parties involved.
- 1. Obtain and check validity of drivers permits.
  - 2. Observe drivers' physical condition to determine if they have been injured or are under the influence of liquor, drugs, etc.
  - 3. Interview each driver separately to obtain his version of the accident.

OBJECTIVES & ACTIVITIES

CONTENT

4. Ask each driver to repeat his story in the presence of the other to point up contradictions.
5. A driver may be missing from the accident scene.
  - a. He may be a hit-and-run driver.
  - b. He may:
    - 1) Have been unable to find parking space nearby
    - 2) Have been injured and taken to a hospital by a passing motorist
    - 3) Have exchanged information with the other party and then driven off in compliance with the law.
  - c. In the initial phase of the preliminary investigation, attempt to determine the reason for the driver's absence, and proceed accordingly.
- D. The investigation: witnesses.
  1. Problems regarding witnesses.
    - a. Eye witnesses frequently give unreliable information.
    - b. Witnesses often are reluctant to give information, fearing the inconvenience of court appearance.
    - c. Witnesses tend to leave the scene, especially in bad weather.

## 2. Handling of witnesses.

- a. Identify potential witnesses as soon as possible and before they wander off. Look for persons doing a lot of talking and pointing.
- b. Ask the apparent witness what he saw, and avoid using the word "witness."
- c. Use courtesy and tact in getting the witness to talk.
- d. Allow the witness to tell his story before questioning him on particular parts of it.
- e. Determine where the witness was located and what he was doing at the exact time of the accident.
- f. Passengers in the vehicles involved in the accident generally are poor witnesses but should be questioned nevertheless.

## E. The investigation: physical evidence.

1. Physical evidence is more reliable than witness' accounts.
2. Major types of physical evidence to be observed and noted.
  - a. Road conditions:
    - 1) Road surface (slippery, dry, holes, etc.).
    - 2) Obstructions (construction, parked vehicles, defective traffic lights, etc.).

## OBJECTIVES & ACTIVITIES

### CONTENT

- 3) Visibility (clear, obscured by fog, rain, darkness, etc.).
- b. Marks on the highway: skid marks and tire tracks can be cited to estimate speed and direction of travel.
- c. Point of impact:
  - 1) Dirt shaken loose.
  - 2) Broken glass.
  - 3) Broken chrome.
- d. Condition of vehicles:
  - 1) Extent and nature of damage helps to establish position at time of collision.
  - 2) Malfunctioning steering, brakes and lights may have contributed to accident.
- F. Reporting evidence.
  1. Take field notes on all evidence.
  2. Incorporate all findings in accident report.
- G. Law enforcement.
  1. Issue summons or take other enforcement action only after investigation has been completed and the evidence evaluated.
  2. Make sure parties understand their obligations to report the accident, appear in court, etc.

OBJECTIVES & ACTIVITIES

CONTENT

H. Remove hazards to traffic.

1. Issuance of citation terminates investigation at the scene.
2. At conclusion of investigation at the scene, remove all debris which may endanger pedestrian or vehicular traffic.



ARRESTS AND SEARCHES\*

OVERALL OBJECTIVE: To acquaint trainees with the principles and techniques used in arrests and searches.

| OBJECTIVES & ACTIVITIES                                                                                                                      | CONTENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|----------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Objectives:<br><br>To explain the reason for learning about certain police procedures which the trainees will seldom if ever use themselves. | I. Introduction.<br><br>A. It is not expected that patrolman aides will have the authority to carry weapons or to make arrests.<br><br>1. As a corollary to this, it is expected that patrolman aides will be assigned specifically nonhazardous duties.<br><br>B. Nonetheless, it is expected that patrolman aides will on occasion be present at arrests and searches.<br><br>1. Therefore, the aide should be thoroughly familiar with what the patrolman's function is on these occasions.<br><br>2. He should be equally clear as to his own function, as spelled out by departmental policy.<br><br>C. It is possible that senior patrolman aides may, on rare occasions, actually assist the patrolman in searching suspected felons, etc. |
| Activities:<br><br>Brief lecture and discussion.                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

\*The materials in this section are based on the International Association of Chiefs of Police "Training Keys" #9, #14, #28, #31, #61, and #83.

1. Departmental policy must clearly spell out the aide's functions in this area.
  2. Examples of potentially hazardous situations where aides may be assigned some responsibility:
    - a. In patrol car pursuits of suspects, the aide opens and maintains radio communication with the dispatcher up to and including the time of arrest.
    - b. In foot patrol pursuits of suspects, the aide establishes and maintains communication with the dispatcher, keeps crowds away from the scene of arrests, etc.
    - c. After the removal of arrestees, aides may assist the patrolman in searching the car, room, etc., of the arrestee.
    - d. Experienced aides may make searches of car, room, etc., of arrestee while arrestee is under the control of the patrolman.
    - e. Senior patrolman aides may, under special circumstances, conduct field searches of arrestees who are being covered by the patrolman.
    - f. Under no circumstances are aides to assist in the actual stopping and arresting of suspects.
- D. It is emphasized that some aide training in the areas of arrests and searches is mandatory. An aide who even by chance finds himself in the hazardous situations such as will be described in this section must know what his role and the policeman's role are so that he will not spoil evidence, impede an arrest, endanger himself and others, etc.

## OBJECTIVES & ACTIVITIES

## CONTENT

### Objectives:

To explain the principles of arrest from the policeman's point of view.

To acquaint aides with their supervisors' professional nominative responses in the arrest situation.

### Activities:

Brief lecture and discussion, with examples provided to illustrate the principles involved.

### II. Principles of arrest.

#### A. "There is no such thing as a routine arrest."\*

1. The arrest function is the most dangerous aspect of police work.
2. No "class" of criminals can ever be counted on to be consistently peaceful in being arrested; many "happy" drunks have assaulted unsuspecting arresting officers, etc.

#### B. "Officer laxity increases the hazards of the arrest."

#### C. "The element of danger in the arrest situation may be reduced if the officer follows certain safeguards: caution, preparation and planning, and superiority of manpower."

1. Caution. Policemen cannot be timid, but bravery does not imply recklessness.

2. Preparation and planning: "an arrest must never be attempted without some plan of action." Even when an officer decides to make an arrest on the basis of a street encounter, he must seek to "size up the situation" automatically before making his arrest. In preplanned arrests, all officers must be fully briefed.

3. Superiority in manpower. Policemen are discouraged to go it alone when making arrests. Extra police manpower makes arrests more feasible, and it reduces the arrestee's inclination to put up a fight.

D. "The officer must maintain control of the arrest at all times. This is accomplished by tone of voice, officer behavior and the proper use of force."

1. Tone of voice. To imply command the officer may not "request" certain actions nor shout or use profanity. The officer who does so invites competition from the arrestee, which may result in resistance, etc.

2. Officer behavior. To appear impartial and impersonal--to symbolize law and order--the officer must act that way. Belligerency, etc., works against the officer's best interest--it looks like a sign of weakness to criminals and invites a counter-reaction from them. It sometimes causes them to panic, and a panicky person is extremely dangerous.

3. Proper use of force. The law requires the officer to use only the amount of force necessary to complete the arrest. The officer may make his decision about "necessary force" from circumstances like: whether the suspect is armed and/or resisting, the nature of the crime committed, the suspect's reputation and record and the number of people in the vicinity of the arrest.

E. "The use of deadly force must be carefully evaluated. Warning shots should be avoided."

1. The officer arresting a felony suspect does so with his revolver in hand.

2. In other potentially dangerous circumstances, the officer keeps alert and his gun hand free.

3. The chances of making an arrest and minimizing injury are increased if the officer does not give "warning shots."

F. "In all arrest situations the officer has the responsibility to safeguard himself and fellow officers, innocent bystanders and his prisoner."

1. A necessary part of safeguarding oneself and one's fellow officers is denying personal privileges to the prisoner (e.g., going to the bathroom, etc.) unless he is carefully supervised.
2. Each prisoner must be thoroughly searched for weapons or escape devices (Field search: see below).
3. The prisoner must not be permitted to talk to bystanders.
4. The officer must not argue with the prisoner or discuss the merits of the arrest.
5. When possible, the officer should predetermine the place of arrest, to avoid chance of escape, involvement with bystanders, etc.
6. The officer must carefully consider the possible harm to bystanders when high-speed driving or using deadly force.
7. In every arrest, the officer must identify himself, state that the suspect is under arrest and specify the charges.
8. The officer must permit no one to injure a prisoner under arrest.



## OBJECTIVES &amp; ACTIVITIES

## CONTENT

## Objectives:

To acquaint trainees with the procedures to be followed in stopping the motorized felony suspect.

## Activities:

Lecture, discussion and role-playing. The trainees should practice their duties in patrol cars with simulated situations.

## III. Stopping the automobile driver who is a felony suspect.

## A. Making contact.

## 1. Identifying a wanted criminal or stolen car.

- a. The aide accompanying a motorized patrolman should stay alert so as to spot cars noted on his stolen car list and also wanted criminals.

## 2. Upon sighting vehicle of a suspected felon, the driver-patrolman begins to "tail" same, and the aide immediately calls the dispatcher and:

- a. Identifies his police unit
- b. Gives location of the contact
- c. Gives the license number and description of the car.

## 3. The suspected car is tailed until help arrives or is known to be close at hand.

- a. The aide informs the dispatcher of the direction being travelled and the names of streets being crossed.

## B. Stopping site.

## 1. The patrolman selects a place where he wants to stop the suspected vehicle after he knows help is near.

- a. He avoids stopping the car at alley entrances, vacant lots or at other easy escape routes.

OBJECTIVES & ACTIVITIES

CONTENT

- b. At night, a well-lighted place is preferred.
- c. On highways with no off-street parking area, a level stretch of roadway in full view of traffic is preferred.

C. Overtaking the suspect.

- 1. After selecting a stopping site, the patrolman comes almost abreast of the suspected car.

- a. At the patrolman's command, the aide activates the siren and the emergency light. (In stopping the traffic violator, the emergency light alone is usually sufficient.)

- b. The patrolman brings the patrol car up so that its right front door is in line with the left rear door of the suspect's car. He is alert to the suspect's making a sudden stop, swerving, etc., and stays about 8-10 feet distant (4-5 feet in a traffic enforcement situation).

- 2. The patrolman and/or the aide motion the suspect to the side of the roadway.

- a. The aide should let the suspect see that he is using the two-way radio; this will discourage the suspect from thinking he can evade arrest.

- b. The aide should be particularly alert to danger, as he is sitting on the side most exposed to the felony suspect.

## D. The car stop.

1. The patrolman will park his car behind that of the suspect's.\*
  2. Even if the trainee's department employs a stopping tactic different from the one in the IACP "Training Key," the aide duties below are recommended:
    - a. The aide maintains radio contact with the dispatcher, gives the location of the car stop, a (corrected) description of the suspect's car and license number, a description of the suspect and other occupants, and a narrative of what is taking place.
    - b. The aide is to position himself low in the seat and expose as little of himself as possible.
    - c. He is to remain in the patrol car until after the suspect(s) have been apprehended and brought under the patrolman's control.
- E. Command situation, arrival of help at the scene and removing suspect(s) from the car.
1. The patrolman assumes a position outside the patrol car, behind the cover of the patrol car's fender, with his gun drawn.

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\*Refer to International Association of Chiefs of Police, "Training Key" #14, p.2, for an illustration of the parking position recommended by the IACP.

2. The patrolman identifies himself, tells the suspect(s) that he is under arrest and orders him to turn off the motor and drop the keys on the ground.
3. The patrolman orders the suspect(s) to put his hands on his head, or on the windshield or on the window. (If it is dark the aide adjusts the headlights and spotlight to illuminate the occupants of the suspect's car.)
4. When an assisting officer arrives, he takes a position at the right-rear of the suspect's car and makes his presence known to the suspect(s).
5. The first officer then orders the suspect(s) to get out of the car with his hands up. While the suspect(s) is covered, the assisting officer makes a cursory inspection of the suspect's car for other occupants, weapons, etc.
6. The suspect(s) is field searched and handcuffed.
7. If so directed, the aide assists one of the officers in searching the car for evidence, while the other covers the suspect(s). The suspect's car is then locked.
8. If the first officer is to take the suspect(s) to the station, he is accompanied by the assisting officer, and the aide follows in the assisting officer's car.

## OBJECTIVES & ACTIVITIES

## CONTENT

### IV. Mechanics of the car search.

#### Objectives:

To explain and demonstrate the mechanics of a car search.

#### Activities:

Demonstrate the procedures of a car search.

A. A car is normally field searched by the arresting officers after the occupant(s) has been apprehended as a felony suspect.

1. An exception is that a vehicle thought to have been used in a felony and placed on a "look out" may be ordered to be undisturbed except by special investigators.
2. The justification for searching a car is that the occupant has already been arrested and it is therefore reasonable to search for weapons, tools of escape, tools of crime, fruits of crime and contraband.
3. The arresting officers will first remove all the occupants from the car being searched and will keep them at some distance from the car: they are always regarded as potentially dangerous.

B. The car field search is best performed by two officers, each one searching one side of the car, then switching and re-searching the side his partner did as a double check.

1. If one man does the search alone, he should also double check.
2. If two officers are on the scene, one guards the suspects while one searches. After the first search, the officers switch, and the second officer performs the double check.
3. The search must be methodical and unhurried. It is not discontinued when some useful evidence is found; it is completed in an effort to find more evidence.



## OBJECTIVES & ACTIVITIES

## CONTENT

4. Some recesses of the car are often used to hide particular kinds of illegal possessions, e.g., under the dashboard for narcotics, the engine block for weapons, etc. These should be noted in the demonstration.

5. Technical aids like a flashlight and mirror are used to look under dashboard, fenders, etc.; but the searchers must be prepared to get dirty in the process of conducting a search.

### C. How to search a vehicle.

#### Activities:

After demonstrating the car search, the trainer supervises the trainees in practice searches.

1. The diagram on the next page illustrates the most common hiding places used in or on automobiles.

2. The instructor demonstrates the techniques of a car search.\*

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\*This will be done in accordance with local departmental procedures.

## THE CAR SEARCH

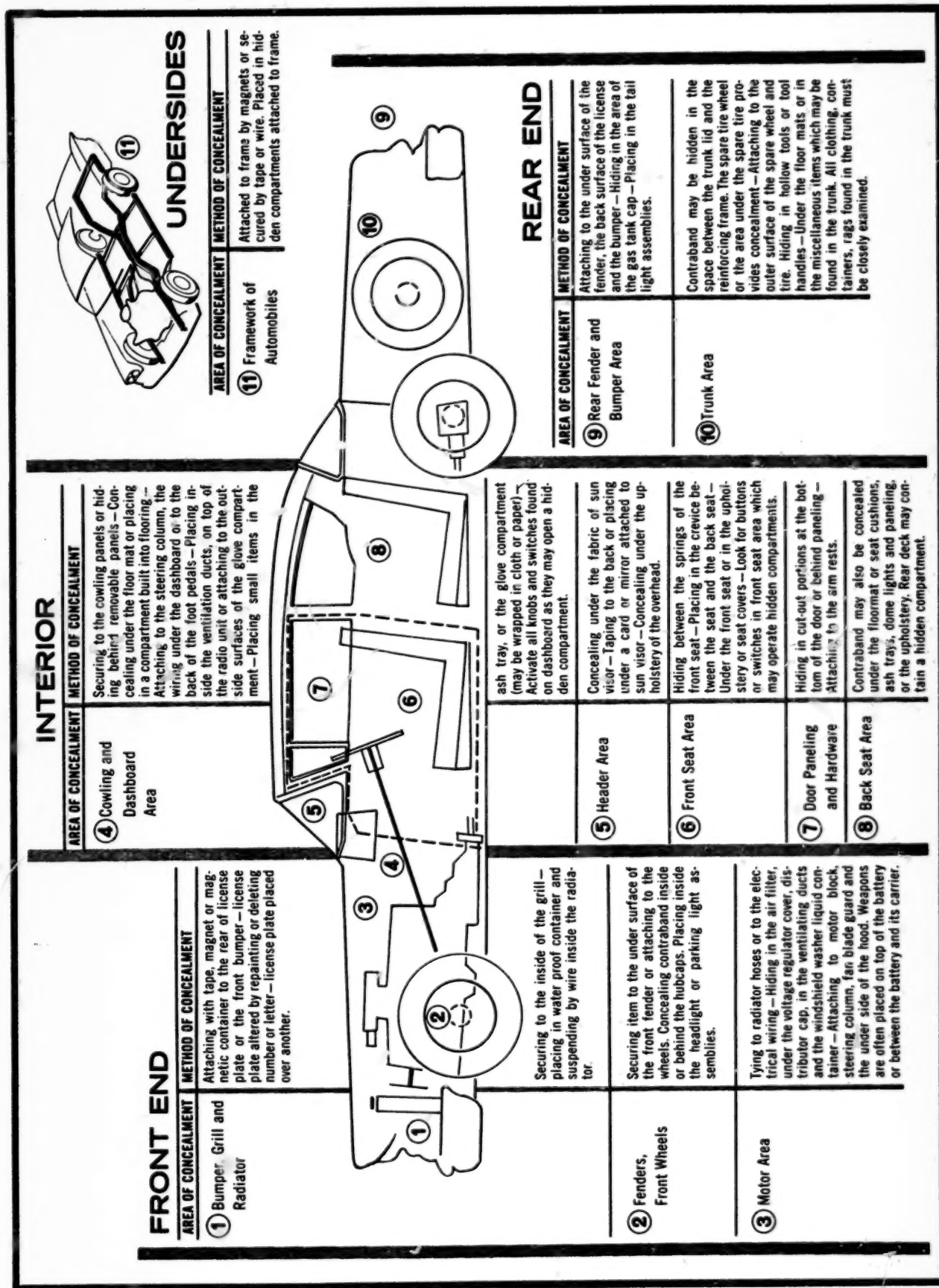


Diagram courtesy of International Association of Chiefs of Police.  
 "Training Key" #31, P. 3.

- D. Every article noted in or on the car which might be used as evidence must be recorded in the officer's notebook, and the location of the article and the name of witnesses to the discovery must be similarly recorded.
- E. The aide may be used to conduct a car search with a patrolman while a second patrolman covers the suspect.

#### V. Searching arrested persons.

##### Objectives:

To explain the circumstances calling for, and to demonstrate the techniques used in, a search of an arrestee.

##### Activities:

Lecture and discussion on the frisk. Demonstrate how it is done and have the trainees perform it on each other.

##### A. The frisk.

1. A cursory search of the suspicious person for weapons large enough to be detected through clothing.
2. Normally, the frisk is of an individual the patrolman encounters in suspicious circumstances which are not sufficient to warrant an arrest. It is justified as a self-protecting measure for the patrolman.

##### B. The strip search.

1. Used normally in narcotics cases, involving a thorough search of the suspect. His clothing is removed and carefully examined and his body openings are probed for hidden articles of evidence.
2. Normally performed in a police station and often with the assistance of a physician.

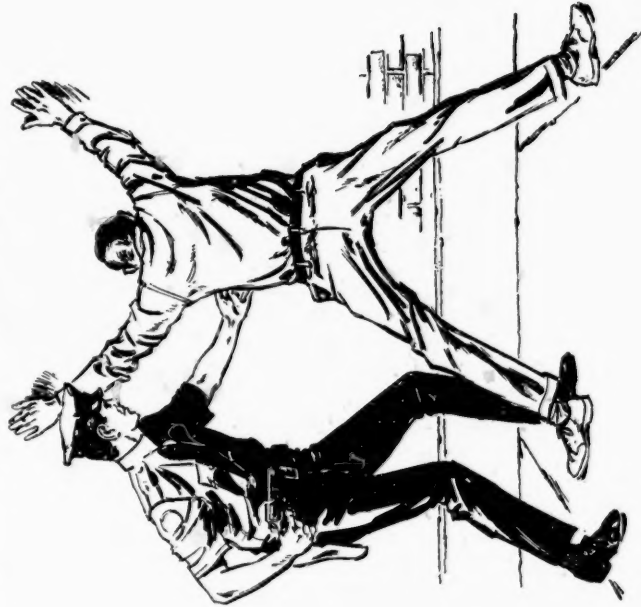
##### C. The field search.

1. A more detailed search than the frisk, performed at the arrest of anyone charged with a serious

criminal violation, usually before the prisoner is transported and booked.

2. The arrestee who is to be field searched is always considered potentially dangerous--only a senior patrolman aide should conduct field searches and then only with a patrolman present to cover him.
3. The position that the suspect is made to assume is shown in figure 1.\* It requires the suspect to be spread-eagled so that the searcher can cause him to drop to the ground merely by kicking his leg.

Figure 1 - WALL POSITION



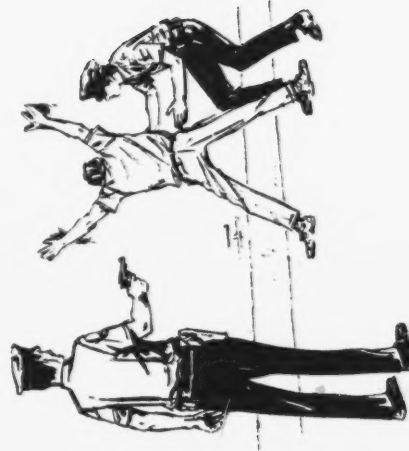
\*Figures 1 through 4 are taken from IACP "Training Key" #9, pp. 2 and 3.

4. There are eleven fundamental rules to conducting a field search.\* These are:
- a. Do not allow the prisoner to remain ON balance.
  - b. Do not allow yourself to be caught OFF balance.
  - c. Use only one hand to conduct the search -- leaving the other free to hold your gun or to control the prisoner.
  - d. Keep your eyes on the suspect's head and shoulders in order to detect immediately any movement which he might make.
  - e. Make your commands to the prisoner clear and brief.
  - f. Never walk between the prisoner and the covering officer.
  - g. Never turn your back on the suspect.
  - h. Stay well out of the prisoner's reach until he is in position to be searched.
  - i. Grab and squeeze the clothing -- do not simply pat it. Flat-handled knives, razor blades and the like will not be discovered by patting the body.
  - j. Do not abuse the prisoner -- be cool, objective and ignore any abusive remarks he makes.



- k. Do not search from the front -- this is the most dangerous way to attempt to search an arrested person.
5. Weapons, contraband, etc., should be taken from the suspect, as should anything that could be used as a weapon (pencil, keys, glasses, etc.).
6. Every inch of clothing should be squeezed as indicated.
7. The searcher starts on one side, pictures an imaginary line down the middle of the suspect and searches all his clothing to just over that line.
8. In changing over to search the other side, the searcher walks around the cover officer, as shown in figure 2:

Figure 2 - THE COVER OFFICER



9. Note that in searching a suspect from either side, the searcher keeps his inside foot between the suspect's foot and the wall so that his ankle touches the suspect's. This enables the searcher to kick the suspect's leg out instantly, if needed.
10. Note that the searcher bends from the knees as he searches the suspect's lower extremities, while watching the suspect's head and shoulders all the time.
11. When a field search is required but there is no car or wall available to spread-eagle the suspect, either the standing or kneeling positions are used:

Figure 3 - STANDING POSITION



Figure 4 - KNEELING POSITION



## VI. Search and seizure.

## Objectives:

To explain the practical importance concerning the law of searches.

## Activities:

Lecture and discussion.

A. The primary problem for law enforcement officers in searching a person, a car, a room, etc., is whether evidence seized in the process can be admitted in a subsequent trial. Sometimes vital and convincing evidence will be barred from a criminal trial because it was obtained illegally -- that is, was seized in an illegal search.

B. The primary law saying when a search is legal or not is found in the fourth amendment to the U.S. Constitution, which says:

"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

1. The key, restricting words are "unreasonable searches and seizures."
2. The agency that gives guidelines as to what is a reasonable search and what is not is the U.S. Supreme Court.
3. Until recent years, the Court declared that the Fourth Amendment applied only to federal law enforcement officers and federal courts.
4. But in the 1961 Mapp case, the Court ruled that its rules concerning reasonableness of searches also applied to state law enforcement officers and courts.
5. And more important, Mapp made the federal sanction against illegal searches applicable to the states -- that illegally seized evidence may not be introduced at trial (the "exclusionary rule").
  - a. Prior to Mapp, about half the states did not employ the exclusionary rule, and thus admitted evidence known to have been obtained by unconstitutional means.
  - b. Few legal systems in the world use the exclusionary rule to discourage "unfair" police investigating tactics. Even England and Canada, which have criminal systems much like ours,

do not use the exclusionary rule.

- c. As a practical matter, the exclusionary rule is probably the most effective (perhaps the only) way to keep searches within constitutional limits.

C. Reasonable searches.

1. By a valid search warrant.
2. By consent of the suspect.
3. By an arresting officer if the arrest is legal.
  - a. If it is an illegal arrest, or a phony arrest (just a pretext to make an unrelated search), the evidence is illegal.
  - b. To be legal, the valid arrest must occur first. (A rare exception is the "stop and frisk" laws adopted by some states.)
  - c. The search must be "incidental" to the arrest, that is, must be limited to the person, the car he was driving in or the room he was arrested in, etc.
  - d. To determine whether an arrest preceding a search was valid, the court will inquire whether the arresting officer has an arrest warrant or, if not an arrest warrant, has "probable cause" to arrest.

D. The Patrolman Aide's responsibility.

1. Because it is vitally important in a criminal case to know when incriminating evidence was found, and



under what circumstances, the aide must be carefully instructed to not go "poking around" for evidence unless told to do so by a police officer.

a. This does not mean that the aide should be careless about noting evidence that is found in full, public view. A gun lying on the seat of a parked car, other evidence found in public places, etc., is seizable without a warrant, probable cause, or consent of the owner.

b. A second major exception is when a person knowingly waives his Fourth Amendment rights and offers to let a police officer search him, his car, etc. Even here, however, the aide should assist in the search only on instruction from the patrolman.

## DELINQUENCY PREVENTION AND CONTROL

OVERALL OBJECTIVE: To develop an understanding of the police role in preventing and controlling juvenile delinquency and youth crime.

NOTE: Police departments observe widely differing policies and procedures regarding the handling of juveniles and youths. The curriculum outline presented in this section is not intended to suggest a preferred approach. Instead, its purpose is to outline a relatively broad range of police activities pertaining to young people in which patrolman aides might be of assistance. Each department should modify the outline to conform with its own practice and the particular duties to which aides will be assigned.

Methods presented in this section are based on G. W. O'Connor and N.A. Watson, Juvenile Delinquency and Youth Crime: The Police Role, Washington, D. C.: International Association of Chiefs of Police, 1964; O.W. Wilson, Police Administration, second edition, New York: McGraw Hill, 1963; Training Keys, Nos. 11, 26, 48, published by the International Association of Chiefs of Police; and President's Commission on Law Enforcement and the Administration of Justice, Task Force Report: Juvenile Delinquency and Youth Crime, Washington, D. C.: U.S. Government Printing Office, 1967.

## OBJECTIVES & ACTIVITIES

## CONTENT

### Objectives:

To familiarize the trainees with the definition, scope and trends in juvenile delinquency.

### I. Definition, scope and trends in juvenile delinquency.

#### A. Definition.

1. Conduct by persons below an age fixed by statute (usually 19) consisting of:

- a. Behavior which would be criminal if committed by an adult.

### Activities:

Use combination of lecture and group discussion.

- b. Noncriminal behavior which is contrary to the best interests of the child, such as habitual truancy, being beyond parental control, etc.

2. Use definition applicable in own jurisdiction.

#### B. Scope and trends.

1. Juveniles and youths under 24 are arrested for certain offenses in disproportionately large numbers.

- a. Burglary

- b. Theft

- c. Auto theft

2. Juveniles and youths are arrested for other violations relatively infrequently.

- a. Fraud

- b. Embezzlement

- c. Vagrancy

## 3. Trends.

- a. The numbers of juveniles and youths arrested in recent years has steadily increased.
- b. Because of the baby boom following World War II the number will continue to grow.
- c. The arrest rates of juveniles and youths also has increased in recent years.
- d. In the opinion of the National Crime Commission juvenile and youth arrest rates will continue to increase for the next decade.

## II. Causes and prevention of delinquency.

## Objectives:

To alert the trainee to the complex nature of delinquency and its causes, to acquaint them with the basic approaches to explaining delinquency; and to indicate the necessity for comprehensive programs to prevent delinquency.

## A. Complexity of delinquency.

1. Juvenile delinquency is not a simple or uniform behavior. It is many different kinds of behavior, such as:
  - a. Taking drugs
  - b. Running away from home
  - c. Rape
  - d. Purse snatching.
2. Delinquency is committed by many kinds of children.
  - a. Frightened 10-year-old, who "goes along" with the gang.

## Activities:

Combine lectures with group discussion. Have the trainees discuss the factors which led them or persons whom they personally know to commit delinquent acts. Encourage the group to examine simplistic explanations with skepticism. Consideration should be given to having a delinquency expert lead the discussion or act as a resource person.

- b. Rebellious teenager who unconsciously identifies his teacher with his hated parents smashes the windows in his school.
  - c. Criminally oriented older youth who steals for profit.
  - d. Mentally ill youngster who tortures animals.
3. Delinquency is committed under various circumstances and inducements.
- a. Boys with time on their hands happen on a car with the key left in the ignition.
  - b. A 17-year-old intent on maintaining his reputation as a ladies' man commits statutory rape.
  - c. A white (Negro) victim of a street robbery is nearly killed by his Negro (white) assailants.
  - d. The youngster of a long-disappeared father and a mother who has too little time and energy to supervise him properly begins to play hooky from school and pilfer from stores.
- B. Explanations of delinquency:
1. There is no single cause of all or even most delinquent behavior. Delinquent acts result from many factors combined in a variety of ways.



2. Two general types of "causes" are recognized:
  - a. Psychological processes related to the individual's intellectual, physiological and emotional make-up.
  - b. Environmental processes which are outside the individual and create the situations with which he must cope.
3. Psychological causes are thought to underly the following kinds of delinquent behavior.
  - a. Malicious destruction of property, misbehavior in school and other actions which are a form of rebellion against strict parental controls. They are directed at targets other than the parent, because the child fears punishment by the parents if he attacks them directly.
  - b. Fighting, robbery, rape or other forms of aggressive behavior in response to frustration produced by the loss or denial of a desired object.
  - c. Compulsive and abnormal setting of fires, stealing of women's underclothes, etc.
4. Environmental factors may "cause" delinquent acts by producing opportunities for law violation, creating conditions favorable to learning antisocial values and attitudes, blocking access to legitimate ways of acquiring desired objects, exposing the individual to learning experiences in his early childhood which cripple his intellectual-emotional development, and in various other ways, such as:

- a. Leaving goods in an unlocked car parked on a city street creates an opportunity for delinquency.
  - b. Membership in a delinquent gang gives a youth a sense of belonging and status but at the same time encourages him to learn antisocial values and illegitimate skills.
  - c. Identification and treatment of a child as a "troublemaker" by school teachers, the police and other authorities encourages the child to view himself as "bad" and to behave in accordance with his delinquent image.
- C. Prevention of delinquency.
- 1. Because there is no single cause of delinquency (or even of a given delinquent act), no single method can prevent it.
  - 2. A comprehensive approach which combines a number of techniques aimed at reducing unwholesome environmental influences, promoting wholesome environmental influences, and treating children already predisposed to delinquency, gives the most promise of success.
- III. The police role in delinquency prevention.
- A. Justification for police participation in delinquency prevention.
    - 1. Police department was created to prevent crimes and delinquency, and no other agency has this specific duty.

## OBJECTIVES & ACTIVITIES

## CONTENT

### Objectives:

To develop an awareness of the varied activities which police may undertake to prevent delinquency. The limitations on police efforts to prevent delinquency also should be discussed.

### Activities:

A number of police functions described in this section may not conform with present departmental policy. If so, policy should be reviewed to determine what changes, if any, need to be made in order to assign duties to the aides which will maximize their value to the department. The curriculum should be adjusted accordingly. For example, if the aides will be used to assist in developing and supervising a junior police corps, the assistance of a department (e.g., Detroit) which has a successful program of this type should be enlisted in identifying the exact skill training to be

2. The police are usually the first to come in contact with persons, situations and conditions requiring preventive action.
3. If the police do not initiate action, frequently no other agency will.
4. The police are in a strategic position to obtain the effective cooperation of delinquency prevention programs because of their prime responsibility for prevention.
  - a. The causes of delinquency are complex.
  - b. To deal with all of these causes, a variety of agencies and institutions (employment services, schools, recreation, welfare, guidance groups, etc.) must be organized to provide coordinated prevention services.
  - c. Without police leadership, these groups are unlikely to provide such services, because delinquency prevention is often of secondary concern to them.
5. Today's children are tomorrow's adults. Police services in the future will be facilitated by establishing favorable relations with the present generation of children.
6. By helping children in trouble, the police also help their parents and thereby gain their support.

used. In presenting the more traditional police techniques for dealing with juveniles, it may be helpful to have the assistance of the department's own juvenile unit.

B. Police techniques for preventing delinquency.

1. Patrol and inspection.

a. These police services lessen opportunities for delinquent behavior by:

(1) Deterring through the provision of a police presence.

(2) Enforcing regulations governing bars, dance halls, swimming pools and other places of commercial entertainment which constitute delinquency hazards.

(3) Apprehending persons who may contribute to delinquency.

b. They afford the means of discovering young persons who are beginning to get into trouble and need opportunities for legitimate activities, treatment and other forms of help.

c. They enable the department to identify neighborhoods where comprehensive delinquency prevention activities are necessary.

d. They identify deficiencies in, or lack of services for, young people in neighborhoods with high delinquency rates, such as in job

- training and employment placement programs, recreational facilities, counseling services, police-community relations programs, etc.
- e. They promote action to improve the quality and amount of services available to youth by:
- (1) Pointing out these gaps to relevant agencies, to community action programs, to citizens' groups, etc.
  - (2) Working with such groups and agencies to devise ways of improving youth services.
  - (3) Providing selected services (such as helping youth find jobs; working with drop-outs, their parents and school officials to get them back into schools; and developing recreation programs) as a stop-gap measure until more appropriate agencies are mobilized to provide them.
  - (4) Referring youth in minor trouble with the law to agencies which can provide appropriate assistance.
2. Provide services for youth in high delinquency rate areas.
- a. Involve the young people in police-related activities which give them significant responsibilities and duties, capture their imagination, give them a measure of prestige and which, if possible, pay them for their services.



- (1) Junior traffic patrol which trains and gives young persons responsibility for directing traffic at intersections used by school children.
- b. Facilitate constructive youth activities by:
  - (1) Roping off streets for sledding in the winter.
  - (2) Preparing and supervising skating ponds.
  - (3) Providing sprinkler attachments to hydrants during the summer.
  - (4) Being present at dances and other group activities in order to help the youth maintain order.
  - (5) Establishing youth-police councils to facilitate the exchange of ideas, promote mutual understanding, and facilitate the working out of problems.
  - (6) Organizing, sponsoring and supervising youth groups which may engage in such constructive activities as doing chores for the sick and elderly or repairing and distributing used toys at Christmas time; organizing dances, picnics and trips; keeping younger children out of trouble; and representing the views of youth before various public and private agencies and political bodies.

C. Police techniques for facilitating the correction of delinquent juveniles.

1. Application of routine police procedures to juveniles.

- a. Even with the best of known prevention programs, juveniles will continue to commit delinquent acts.
- b. Juveniles are not exempt from police action to enforce the law, preserve the peace, and protect life and property.
- c. The fact that the suspect may turn out to be a juvenile does not alter the investigation to determine whether the incident was a violation of law and, if so, the identity of those responsible.
- d. The fact that the person to be arrested is a juvenile does not, in and of itself, mean that less force should be used than if he were an adult.
- e. The grounds for arrest (probable cause) are the same in juvenile and adult cases where the reason for arrest is an alleged violation of law.
- f. The fact that the person being processed will be referred to the juvenile court does not mean that the evidence against him can be substantially less than what is needed to convict in a criminal court.

- g. Police exercise discretion regarding the decision to arrest and/or prosecute adults as well as juveniles when the best interests of both the individual and society are thereby served.
- 2. Basic modifications in procedures applicable to juveniles.
  - a. Parents should be notified that their child has had a police contact whenever it is determined to make an official record of such contact.
    - (1) Notification will alert them to possible delinquent tendencies in their child which should be corrected.
    - (2) Parents need not be notified of minor contacts of which the police officer makes no formal record.
  - b. A child may be taken into custody for non-criminal behavior such as being:
    - (1) Habitually truant from school.
    - (2) Habitually beyond the control of his parents.
    - (3) In a situation detrimental to his safety and well being.
  - c. Parents are notified as soon as possible after their child has been taken into custody (whether for criminal or noncriminal conduct).

- (1) The notification should be in person in order to explain the situation, allay anxiety, give the address where the juvenile is being held, inform the parents of their right to come to the place of interrogation, etc.
  - (2) Patrolman aide will assist the patrolman in locating and notifying parents of their child's arrest.
- d. Parents are to be present during the interrogation whenever this is possible.
- (1) The questioning should proceed without the parents if they cannot be found, if they are notified but fail to appear within a reasonable time, or if they appear and refuse to cooperate.
- e. The investigation includes a preliminary study of the child's social background to facilitate determination of the appropriate course of action. Relevant facts should be obtained from:
- (1) The juvenile's police records -- to determine the extent and nature of the juvenile's prior contacts with police.
  - (2) The juvenile himself -- to judge his probable risk to the community and his own person.
  - (3) His parents -- to determine their willingness and ability to supervise their child properly.

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- (4) A visit to the home to check out the parents' intent and capability.

f. The appropriate course of action may be:

- (1) Outright release to parents with or without a warning.

- (2) Release to parents coupled with a referral to an appropriate community service.

- (3) Referral to the juvenile court and release of child to his parents' custody pending his appearance in court.

- (4) Referral to the juvenile court and temporary placement of the child in a foster home, shelter facility or place of detention pending his appearance in court or other action by court officials.

- g. Review other procedures and duties regarding the handling of youth which are specified by departmental regulations and are pertinent to the aides' training.

### IV. Youth problems and the patrol function.

#### A. Teenage hangouts.

- 1. Youths tend to spend much of their spare time congregated at:

- a. Drive-in restaurants

- b. Candy stores

### Objectives:

To gain an understanding of selected youth problems likely to be encountered by patrolman aides.



## Activities:

An experienced member of the department's youth aid unit should lead the discussion or be on hand to explain typical problems presented by juveniles and how they should be handled. Have the trainees play the part of both juveniles and police in typical youth-police contacts.

- c. Drug stores
  - d. Other places of recreation.
2. These places frequently have little trouble. However,
- a. Youths may plan delinquent activities at these locations.
  - b. Youths may annoy passersby by obstructing the sidewalk, making catcalls, being noisy, etc.

## B. Truants.

1. Truancy is primarily a school problem.
2. Persistent truancy is a delinquency in many jurisdictions and may lead to delinquency of the criminal type.
3. Truants should be handled according to departmental regulations.

## C. "Testing."

1. Teenage youth are between the dependency of childhood and the independence of adulthood.
2. Teenagers frequently challenge authority (parents, teachers, police officers) as a way of showing to themselves and others that they no longer are children and can take care of themselves.

3. This may take the form of "showing off" before friends, deliberately breaking the law in a police officer's presence, vociferously rejecting warnings to behave, loudly invoking legal protections, openly insulting the officer, etc.
  4. This behavior should be distinguished from true hostility and be accepted for what it is -- a common manifestation of the process of growing up.
  5. Resorting to threats and an authoritative approach only serve to provoke greater opposition to police and law enforcement.
  6. By being fair, explaining his request for compliance with the law, and treating the youths with respect, the officer can usually gain their cooperation.
- D. The Gang.
1. The gang is distinguished from other youth groups by:
    - a. The relatively high degree of cohesiveness and loyalty which its members feel toward each other.
    - b. The relatively great control which the gang leader exerts over the members' activities.
    - c. The relatively criminalistic orientation and antisocial activities of its individual members.

- d. Its consistent hostility toward the police.
2. Gang membership is a way of life.
  - a. It gives its members approval, loyalty, status and adventure.
  - b. It enables its members to learn how to commit crimes efficiently, how to dispose of stolen goods safely and at a good price, and how to evade detection and apprehension.
  - c. It provides the member with an ethic or code of conduct by which to guide his own actions and evaluate the worth of others and himself.
  - d. It provides him with associates and friends whom he can count on to assist in various activities including the commission of law violations.
3. Gangs and the police.
  - a. Gangs, particularly those in urban slums, often come into open conflict with other gangs.
  - b. Gang conflict is not inevitable, however, and gangs as such may avoid involvement with the police altogether.
  - c. It is usually difficult to obtain information from gang members because of their codes of loyalty. However, the more timid members may be persuaded to cooperate if questioned in private.

- 4. Youth groups other than gangs.
  - a. Adolescents generally move in groups of one sort or another.
  - b. Most juvenile groups are not gangs, and thus are not a serious police problem.
  - c. Youth groups, moreover, can contribute positively to law enforcement, not only by providing information to police, but also by engaging in constructive, law enforcement-related activities.
  - d. Police should develop friendly relations with the leaders and other members of these groups for the purpose of enlisting their cooperation, helping them to follow lawful pursuits and keeping track of those headed toward trouble with the law.

## POLICE AND THE PUBLIC

OVERALL OBJECTIVE: To develop an insight into the importance of public understanding and support of the police, the major obstacles to such understanding, and techniques for overcoming those obstacles.

Materials presented in this section are based upon the following documents: International Association of Chiefs of Police, "Training Keys," Numbers 16 and 42; President's Commission on Law Enforcement and the Administration of Justice, The Challenge of Crime on a Free Society, Washington, D. C.: U.S. Government Printing Office, 1967, Chapter 4; and O. W. Wilson, Police Administration, Second Edition, New York: McGraw Hill, 1963.

| CONTENT                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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| OBJECTIVES & ACTIVITIES                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Objectives:                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| To impress the trainees with the importance of public relations to police work and to discuss candidly aspects of police-public relations in need of improvement. | I. Relationship between the police and the public.<br>A. Definition of police-public relations.<br>1. Police-public relations is the aggregate of the relationships of each officer to the various private citizens with whom he has contact.<br>2. Every contact which a citizen has with the police has an effect on the public relations of the department. A citizen may have contact with police as:<br>a. An observer at the scene of an investigation or arrest |
| Activities:                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Combine lecture with group discussion. May be advisable to have a high-ranking officer lead the discussion as a means                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |



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of emphasizing the importance which the department gives to this phase of police work.

- b. A complainant
- c. A victim of an accident or crime
- d. An offender.

3. Every officer, therefore, has a major influence, whether for the good or for the bad, on his department's public relations.

4. Every officer is responsible for developing a favorable public attitude.

B. Public support is essential.

1. A public that observes laws and regulations relieves the police of a major portion of their responsibilities.

2. With public cooperation arrests are made and convictions obtained which otherwise are not possible.

3. Public approval builds police morale which leads to greater effort and effectiveness.

4. Public support leads to increased budgets for increased salaries and benefits and needed equipment, personnel and facilities.

C. Public support is seriously eroded today.

1. In city slums and ghettos there is much distrust of the police.

- a. Minority groups, particularly the boys and young men, are most hostile toward police.
  - b. See Chapter 6, "The Police and the Community," in Task Force Report: The Police, the President's Commission on Law Enforcement and the Administration of Justice.
2. Lack of public support makes police tasks more difficult.
    - a. Public hostility leads to more crime, e.g., assaults on policemen, riots, etc.
    - b. Public hostility leads to citizen refusal to cooperate in investigations and prosecutions.
    - c. Public hostility results in crowds gathering at crime scenes to harass and abuse police.
    - d. Public hostility embitters the police and causes unprofessional responses which in turn create more public criticism.

#### Objectives:

To familiarize the trainees with their basic responsibilities, as members of the department, toward the public.

#### II. Basic responsibilities of the individual officer.

- A. Importance of the impression made by each individual officer.
  1. In the eyes of the public the police officer loses his individual identity and takes on the identity of the department.

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### Activities:

Combine group discussion with role-playing. Devise true-to-life situations and have trainees act out the roles of police officer, complainant, victim, offender, patrolman aide, etc. in these situations. Help the trainees criticize and suggest improvements in the way the police officer and patrolman aide roles were performed.

2. People judge the department as a whole by the individual officers with whom they have had contact.
  - a. When an officer is rude or dishonest it reflects on his department.
  - b. When he is courageous, efficient, fair and courteous, the entire department benefits.
- B. Appearance.
  1. People form judgments about police on the basis of visual impressions of their appearance. Make sure that:
    - a. Uniform is clean, pressed and in good repair
    - b. Shoes and leather equipment are polished
    - c. Face is cleanshaven, and nails and hair are clean and properly cut
    - d. Police vehicle is washed and the interior uncluttered with debris.
  2. Avoid the impression of inefficiency, laziness, absence of responsibilities, etc. given by:
    - a. Talking unnecessarily to bypassers
    - b. Standing about in one place for one time
    - c. Sitting idly in parked vehicle.

## C. Conversation.

1. Avoid abrupt, harsh, vulgar language.
2. Avoid language which gives the impression of condescension, prejudice, haughtiness or officiousness.
  - a. In low income neighborhoods inhabited by minority groups, avoid epithets or intonations which may offend.
  - b. Be respectful toward juveniles despite their age and even though their conduct may be offensive.
  - c. When dealing with an upset or irate citizen, be especially careful to avoid statements which can be misconstrued.
  - d. Correct any statements which appear to have been misunderstood.
3. In telephone conversation:
  - a. Answer the phone promptly. If it is necessary to finish another call, inform the caller and ask him to wait.
  - b. Allow caller to tell his story, then ask whatever questions are necessary to clarify it.
  - c. Thank him for bringing the matter to the department's attention before hanging up.

## D. Actions and bearing.

1. Avoid nervous mannerisms which may be interpreted as offensive, such as whistling, foot tapping, etc., while speaking to a citizen.
2. Avoid touching the person with whom you are conversing, such as by:
  - a. Backslapping
  - b. Poking him in the chest
  - c. Getting too close to the person.
3. Be friendly but impersonal, even when dealing with persons being arrested or otherwise subject to restraint.
4. Never become angry, no matter how severely provoked.

## III.

## Relationship with complainants.

Objectives:  
To familiarize the trainees with the broad range of complaints which they can expect to receive and the principles to be followed in handling citizens with complaints.

## A. Importance to police public relations.

1. For many persons, contact with the police is restricted to registering a complaint. Therefore, the impression which the person gains through this contact may significantly influence his view of the police.



## Activities:

Use lecture to introduce topic and describe typical complaints. Supplement with group discussion and role-playing. Supervising patrolman should coach his assigned trainee in techniques for dealing with complainants during the on-the-job phase of the training.

2. Many persons registering a complaint are angry, frightened, or otherwise emotionally upset. Therefore, they should be handled with special consideration.
  - B. Types of complaints.
    1. Complaints may indicate a problem of an extremely serious nature.
      - a. Robbery or other felony in progress.
      - b. Major automobile accident.
      - c. Accusations of police corruption or brutality.
      - d. Incipient riot.
    2. Complaints may indicate a problem of an unquestionably trivial nature yet one which the complainant may view as serious.
      - a. Barking dog.
      - b. Treed cat.
      - c. Small boys trespassing.
    3. In many instances, it is possible to determine how serious the situation is on the basis of the complainant's facts.
      - a. Child is 2 hours late getting home from school.

- b. A prowler sighted in complainant's backyard.
- c. Husband locked out by his wife.

C. Receiving the complaint.

1. Regardless of the apparent nature of the citizen's complaint, the officer or aide should treat it with respect, since it is a matter of concern to the citizen.
2. Allow complainer to tell his story without need-  
less interruption.
3. Ask clarifying questions after citizen has  
explained his problem.
4. On receiving complaint, thank the citizen for  
reporting it, no matter how trivial the subject  
may be.
5. Take prompt action to serve the complainant by:
  - a. Notifying him that it is a matter outside  
the jurisdiction of the police and recommend  
the appropriate action to take, if such is  
the case, or
  - b. Notify the dispatcher and proceed to resolve  
the problem, or
  - c. Notify dispatcher and request assistance  
if needed.

## Objectives:

To acquaint the trainees with the various kinds of human relations problems police encounter in dealing with offenders and the principles to be followed in coping with them.

## Activities:

Combine lecture with group discussion. Have trainees practice dealing with offender situations through role playing and on-the-job training.

## IV. Relationship with offenders.

## A. General problems in dealing with offenders.

1. The public generally is very sensitive to abuses of police authority.
  - a. When making an arrest, the officer must avoid excessive force or abusive or critical language, even under strong provocation.
  - b. The officer must handle the arrest in a manner which will not jeopardize his safety or the reputation of his department. (See unit on arrest.)
2. Police contact may be a new and terrifying experience to the offender.
  - a. Where possible, attempt to put the offender at ease by being courteous but firm.
  - b. Small talk may be helpful in calming down a potentially hysterical offender.
3. When people are caught in the wrong, they may unconsciously attempt to compensate for this embarrassment by acting so as to justify their conduct, minimize it, blame someone other than themselves, or otherwise save face.
  - a. Recognize this impulse.
  - b. Control personal feelings about the offender's behavior.

## B. The traffic violator.

1. Most offenders with whom police deal are motorists. Effective handling of traffic violators will significantly help to improve the department's image.
2. Be courteous, businesslike and firm in dealing with the traffic violator.
3. Do not get into an argument with the violator.
4. Take the action which is appropriate to his traffic violation. Do not change a warning to a citation, for example, on the basis of an irritating statement by the driver.
5. However, if his words and actions constitute a law violation, arrest him for that.
6. See the unit on traffic direction and control.

## Objectives:

To familiarize the trainees with the various services police provide the general public and with selected services which are provided particularly to low income groups. To explain the reasons for police performance of these general and special-

## V. Police services and relations with the public.

## A. Miscellaneous public services commonly provided by police.

1. Police provide a wide variety of services to the public in addition to enforcing the law, maintaining the peace and regulating behavior. These include:

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ized public services, and, in the latter case, the basic techniques to be used in providing them.

### Activities:

Lecture, group discussion and simulated practice should be used. In the case of specialized services for the poor, it may be helpful to obtain the assistance of police departments (Atlanta, New Haven, Richmond, Cal.) which presently are providing such services. Local civil rights, anti-poverty and similar groups also may be useful sources of information and advice.

- a. Giving directions to travelers
  - b. Rescuing lost children
  - c. Assisting stranded motorists
  - d. Providing first aid
  - e. Taking emergency cases to the hospital
  - f. Delivering babies in emergencies
  - g. Warning merchants of criminal operations
  - h. Inspecting businesses, banks and other places where large sums of money or other valuables are kept.
2. The public looks to the police to provide these services, because:
    - a. Someone has to perform them
    - b. The police are the only public servants who are on duty 24 hours a day and are readily available to the public.
  3. Performance of these and similar services constitute a potentially valuable means of promoting public good will.
    - a. If performed with courtesy and efficiency, they go far toward improving the image of the police in the eyes of the community.



- b. If performed reluctantly, badly, or not at all, they jeopardize the public's opinion of the police.
- B. Other services particularly valuable to building good will in the urban slums.
  - 1. In view of the skepticism with which slum residents tend to regard the police and the resulting complications for law enforcement, it is particularly important to attempt to improve relations with this segment of the public.
  - 2. Many services which police regularly supply as part of the patrol function do not meet the special problems of low income Negroes and other minorities.
  - 3. Provision of specialized services aimed at meeting the particular problems of the poor as part of the patrol function give promise of increasing the ghetto residents' confidence in, and cooperation with, the police.
  - 4. Specialized services which patrolman aides may assist in providing in low income neighborhoods include the following:
    - a. Report a badly maintained park to the Recreation Department.
    - b. Report a playground that is closed during times when children in the neighborhood most need it to the School Department.

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- c. Report uncollected garbage or unhygienically displayed food stuffs to the Sanitation Department. File a complaint with the District Attorney's Office or take other appropriate action.
- d. Notify the Welfare Department or private welfare agency of an indigent family's eviction, and request emergency assistance.
- e. Negotiate with a landlord on behalf of a family behind on its rent payments to delay eviction pending the receipt of a welfare check.
- f. Help the unemployed find work by referring them directly to an employer or to an anti-poverty employment service.
- g. Direct the indigent new arrival to Travelers' Aid or other agency which may provide short-term assistance until he gets settled.
- h. Report housing code violations to the Department of Licenses and Inspections, the District Attorney's Office, or other suitable agencies.
- i. Refer quarreling husbands and wives to a legal aid society, neighborhood legal services program, lawyer referral service, or domestic relations conciliations service as the circumstances may require.

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5. Many of these services may be performed in the course of routine patrol during slack moments when the need for other police services is not immediate. Others may be provided in the course of dealing with an emergency call (See Disturbance calls, below).
  6. The patrolman aide can be assigned primary responsibility in terms of time and effort for providing most of those services and thus free his patrolman supervisor to handle the more basic police duties.
- C. Agencies which police will use in providing services to low income citizens.
1. Major public and private agencies providing services relevant to the needs of the poor.
    - a. Licensing and inspection
    - b. Prosecution
    - c. Public housing
    - d. Health
    - e. Welfare
    - f. Recreation
    - g. Legal assistance
    - h. Credit

- i. Domestic relations
- j. Treatment of alcoholism
- k. Treatment of drug addiction
- l. Education
- m. Community organizations
- 2. Essential information concerning each such agency which the police can provide:
  - a. Identify, including colloquial as well as legal name
  - b. Location, including street address of decentralized offices as well as central office
  - c. Best transportation method and routes, such as subway, bus, ambulance, etc.
  - d. Telephone number or numbers
  - e. Type or types of services offered
  - f. Requirements to be met in order to obtain service, such as indigency, residency, absence of criminal record, minimum schooling, etc.
  - g. Intake process, filing procedure or other steps which must be taken to obtain service

- h. Follow-up process of agency, and police role, if any.

#### Objectives:

To acquaint trainees with the nature of disturbance calls, the special problems they create, their particular relevance to police-public relations and techniques to be used in dealing with them.

#### VI. Disturbance calls.

A. Disturbance calls as an opportunity for public service.

1. Disturbance calls are one of the most frequent requests for police service.

2. Many such calls involve requests for assistance which are beyond the limits of police jurisdiction.

3. The average citizen has little knowledge of, or gives little consideration to, the limits of police authority and turns to the police because they are the only public agency which he knows of to call in an emergency.

4. Although the citizen's problem may be outside the police authority, the police may help the citizen to obtain aid from the proper source and, in so doing, build his respect for law enforcement officials.

5. Disturbance calls which are within police jurisdiction similarly provide an opportunity to impress the public favorably.

#### Activities:

Combine lecture with group discussion. The trainees' experiences on the job as well as hypothetical examples may be used to illustrate the typical problems encountered in answering disturbance calls.



B. Difficulties involved in handling disturbance calls.

1. Potential danger of death or injury to officer and aide.

a. According to the IACP, 21% of the total number of police officers killed in line of duty met their death while handling disturbance calls.

b. It is frequently impossible to determine accurately the potential danger involved until the investigation is underway.

c. Parties to be investigated often are in a highly emotional state of mind, e.g., enraged husband, maniacal drunk, infuriated crowd, hysterical victim, etc., and may suddenly attack police or violently resist arrest.

d. Persons attacking one another may also feel strong bonds of solidarity which are aroused when confronted by an outsider -- the police officer, e.g., grieving wife who had called to have husband arrested may suddenly attack the police officer.

2. Risk of loss of self-control by aide or officer.

a. Officer is likely to be subjected to extreme abuse and provocation.

b. Actions by parties involved in the disturbance may seem dishonorable, futile,

stupid or worse to the officer (e.g., protesting in favor of unpopular causes, wife beating, engaging in debauched behavior at a party) and tempt him to show his distaste or anger.

3. Need for sound judgment.

a. Essentially civil disputes may escalate into criminal offenses unless officer uses great tact and firmness.

b. Disturbances often involve minor offenses, and officer must decide whether to report, to arrest, or to attempt to smooth matters over without invoking the criminal process.

C. Actions to be taken by officer with the assistance of the patrolman aide:

1. The primary police objective is to restore and preserve the peace.

2. Obtain as much information as possible from the dispatcher.

3. Exercise extreme caution when at the scene of the disturbance.

4. Maintain strict objectivity and emotional restraint.

5. Obtain the facts by observation and by interviewing the participants and, if possible, disinterested parties.

6. If possible stop the disturbance if it is still going on by using tact, patience, humor, and other noncoercive measures to obtain voluntary compliance.
  7. Render first aid, if necessary.
  8. If the disturbance involved a dispute, refer the disputing parties to local court or prosecuting attorney to obtain warrants or inform them of their right to make a citizen's arrest and how to exercise it (signing a complaint).
  9. Refer parties to other sources of assistance as may be appropriate, e.g., legal aid society, church, welfare department, etc., and instruct them how to make use of these services (see above).
  10. If criminal offense occurs in officer's presence and the situation requires such action, arrest the offender.
- D. Selected examples of disturbance calls, possible complications, and police action.\*

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\* International Association of Chiefs of Police, "Training Key" No. 16, p.2.

## TESTIFYING IN COURT\*

OVERALL OBJECTIVE: To give trainees background preparation so that they can be effective witnesses in court.

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#### Objectives:

To help the trainees appreciate what it means to be an "effective witness."

#### I. The nature of a criminal trial.

A. The criminal trial is not a conference, a discussion, or similar to forms of group decision making we are familiar with. Rather, it is a special kind of debate--a drama of sorts--performed before an audience of strangers, the jurymen and the judge.

B. Because the aide may be called as a witness in criminal trials, it is important that he appreciate three fundamental aspects about testifying in a trial.

#### Activities:

Lecture and discussion.

1. The rules governing what can be said by a witness and what cannot, and the rules governing the kinds of questions he will be asked and how they can be asked, are quite strict. These rules are not consistent with common sense; they are

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\*This section is based on the International Association of Chiefs of Police, "Training Keys" #8 and #55.

not the kinds of restrictions one uses in any other situation where he is asked to talk about something. A failure to know about these rules will probably result in the witness becoming confused, flustered and angry on the witness stand.

2. The witness' relationship with the judge and jury is necessarily one of quick impressions. From the moment he begins to walk to the stand, the witness is being sized up by the judge and jury. Part of that "sizing up" is based on the strength of the evidence he will present. But part will be determined by what these people think of the witness as a person. Because they cannot "know" him as a person, the judge and jury will form their impressions on the witness' appearance, manner of speech, self-confidence and response to pressure.
3. When the aide is called as a witness, it is his duty as a public servant to be as effective a witness as he can be -- to present his testimony in the most effective and convincing way possible. Casualness, spontaneity and chattiness may normally be virtues in dealing with other people, but they can be damaging traits in a witness. He should be honest, careful and calm, and limit his testimony to what is required and useful. On the other hand, a witness who recites his testimony as if by rote is ineffective. To strike a balance between appearing to be play-acting and appearing too casual is difficult, but a witness who conducts himself between those extremes will have the greatest effect on the judge and jury. Note: It is the witness' duty to present his testimony as honestly and effectively as he can: it is not his duty to make sure the defendant is convicted.



## Objectives:

To emphasize the usefulness of careful note-taking, etc.

To show trainees how to be effective witnesses in criminal trials.

## II.

## Testifying in court.

## A. Preparation of evidence.

1. The aide will be instructed on the proper identification and labeling of evidence gathered during an investigation. His own observations, discussions with witnesses, etc., will also be recorded.
2. This is the data that he will be responsible for presenting to the prosecutor and possibly to a judge and jury. Because every criminal case he is involved in will hopefully lead to a hearing in court or to a trial, the aide should be encouraged to do a good job of evidence-gathering and note-taking at the scene of the criminal investigation.
3. The aide should go over his data with the prosecutor to make sure that the prosecutor gets a complete picture of the evidence the aide can offer.
4. If the prosecutor plans to call the aide as a witness, he will probably discuss with the aide those topics and questions which the prosecutor thinks are most important to his case. This may involve some practice rounds of questions and answers between the prosecutor and the aide.  
Note: There is nothing "wrong" with preparing questions and answers, as long as what the witness says is truthful.
5. The prosecutor may also indicate possible weak points in the aide's planned testimony, and indicate what these are to the aide so that he can respond to cross-examination with as little damage to the prosecution's case as is possible.

## Activities:

Lecture and discussion, with examples given and role playing employed when appropriate.

Role playing is particularly recommended to develop self-confidence as a witness. Given a hypothetical case and a set of facts, the trainee can be led through a direct and cross-examination, perhaps by a local prosecutor and another attorney. Then the attorneys and the other trainees can give a critique of his testimony.

A second way to get practice as a witness is to have the trainees be used as witnesses in a law school "trial practice" course. Law schools in or near the training locale should be contacted to arrange this.

6. However long his pretrial conference with the prosecutor is, the aide should carefully go over how own testimony before the trial, and he should bring his notebook with him to the trial. He should have his "story" straight in his own mind, and if there are gaps in it, he should know that and be prepared to say "I don't remember that point." It is less damaging to profess ignorance on the stand than to show surprise and appear to be guessing in answering a question.
  7. If the aide-witness is asked if he discussed the case before trial with anyone, he should answer "Yes, with Mr. \_\_\_\_\_" (the prosecutor) if that is true. Many witnesses have been flustered by this type of question, and in trying to make it seem that their testimony is unrehearsed, have badly damaged their credibility.
  8. The aide should be neatly dressed at trial (whether in uniform or not). When dealing with people only briefly (as the aide will be doing with the judge and jury) appearances do count.
- B. Giving testimony.
1. The aide will probably be called by the prosecution when it is presenting its case, that is, in the early stages of the trial. The questions will then first come from the prosecutor, and the aide will probably know what he will be asked and what he plans to give as answers.
  2. In the direct examination, the aide should sit up straight, in view of both the lawyers and the jury. He should keep both feet on the floor, and his hands in his lap or on the arm rests: it is

important not to fidget, to rattle keys, etc., or do anything to display nervousness. Moreover, distracting the jury's attention is rarely helpful.

3. In giving his evidence, the aide should speak clearly and politely. He should address the lawyer who asked him the question, but speak loudly enough so the jury can hear.
4. The aide should answer the question asked -- but no more. Even though he has more information on a subject than the question asked for, it is normally harmful to volunteer information. If the prosecutor has forgotten to ask the aide about an important point, the aide should wait until after he is off the stand and send him a note to this effect. If it is important, the prosecutor will recall the aide to the stand later on.
5. In giving his testimony, the aide may be occasionally interrupted by the opposing counsel. Whenever he hears "I object," the aide must stop his testimony until the judge rules on its admissibility: continuing to answer a question that has been objected to is basically unfair, since it puts evidence before the jury that they may not be permitted to know. Moreover, the judge will often show considerable irritation at a witness who keeps talking after an objection has been made: this harms the witness' influence with the jury as well as with the judge.
6. In answering questions, the witness should pause, if necessary, to collect his thoughts and then give a deliberate answer. If he didn't hear or understand the question, he should ask to have it repeated.

7. The main purpose of cross-examination is to impeach the witness' testimony and to throw doubt on his credibility. This means that the opposing counsel may give the aide a "rough going over," and the aide should be prepared for it. As a general rule, the hard-hitting cross-examination will backfire if the witness remains calm and answers the questions honestly. The witness who gets flustered, who appears to be changing his mind under questioning, or who gets angry at the lawyer will usually lose some of his effectiveness before the judge and jury.

### III. Rules of evidence.

- A. What are rules of evidence and why should aides be familiar with them?
1. They are the rules restricting what can be put in evidence before the jury in a trial.
  2. These rules as they relate to oral testimony are not common-sense restrictions. A witness who is totally unfamiliar with these rules will not be able to learn them on the witness stand.
  3. The witness who is unfamiliar with rules of evidence is very likely to have his testimony constantly interrupted by opposing counsel. Those



interruptions will usually confuse or irritate the witness, and harm his effectiveness.

#### Objectives:

To have trainees understand what "evidence" is.

#### Activities:

In observing a trial or role-playing, the trainees should be called on to identify the three types of evidence.

#### B. The types of evidence.

1. Direct evidence: "that which a witness knows of his own knowledge derived from one or more of his five senses."\*

a. "Knowledge" gained second-hand, through discussion with someone else, is usually considered hearsay and is not admissible.

2. Circumstantial evidence: that evidence "which does not directly prove the fact in issue, but establishes a certain fact or series of facts, which tend to prove certain elements of the case in question."\*\*

a. Whether to put something or someone before the jury to present circumstantial evidence, is the problem of the prosecutor, and, of itself, does not create problems for the witness.

3. Real evidence: that evidence "which is furnished by objects which speak for themselves and require no explanation, merely identification."\*\*\*

#### C. Admissibility.

1. When the judge rules that a particular piece of evidence or testimony may not be introduced into the case, that evidence is referred to as inadmissible evidence.

\*IACP "Training Key" #55, p.1.

\*\*Ibid.

\*\*\*Ibid., p.2.



## Objectives:

To explain why "objections" are raised and often vehemently.

To outline the categories of inadmissible evidence.

## Activities:

The specific rules of evidence should be used in role playing (perhaps after the trainees practice being self-confident witnesses). In addition, the trainees should observe the use of the evidence rules in criminal trials.

The trainer should expect the trainees to have some difficulty with the concepts behind the relevancy, competency and hearsay rules. It is therefore recommended that the trainees be given as much practice with these rules, via role playing and observation of trials, as is possible.

2. The judge normally lets in almost all evidence offered, even inadmissible evidence, unless the opposing counsel objects. It is the lawyer's job to "censor" the evidence his opponent wants to put to the jury. Once objected to, the judge rules on its admissibility.
3. In many situations, the evidence will be proffered by one lawyer, out of hearing of the jury, and then the opposing counsel will tell the judge his objections to it.
  - a. But trying to regulate the evidence offered by a witness is far more difficult for the opposing counsel. The damaging inadmissible evidence may have already slipped by before he can say "objection."
  - b. This explains why the opposing counsel and the judge will often be highly irritated with a witness who introduces inadmissible hearsay or opinion evidence, even though it was given innocently.
4. Relevancy: an important rule of evidence excludes evidence that is irrelevant to the issues of the case.
  - a. The types of evidence that are normally relevant in a trial include:
    - 1) The motive for the crime.
    - 2) The ability of the defendant to commit the crime.

- 3) The opportunity to commit the crime.
  - 4) Threats or expressions of ill will by the accused.
  - 5) The means of committing the offense (possession of a weapon or tools used in committing the crime).
  - 6) Physical evidence at the scene linking the accused to the crime.
  - 7) The suspect's conduct and comments at the time of arrest.
  - 8) The attempt to conceal identity.
  - 9) The attempt to destroy evidence.
  - 10) Valid confessions.
5. Competency: witnesses are not permitted to offer their opinions as testimony unless they are experts giving opinions in their field of special knowledge.
- a. So, for example, a layman may describe the defendant's behavior as he observed it, but he may not go beyond that to give a medical or psychological explanation for that behavior. Only a doctor or a psychiatrist considering the behavior testified to (along with postarrest studies of the defendant, etc.) would be permitted to give a medical opinion for the cause of behavior.

6. Hearsay: only the actual knowledge of the witness -- not "hearsay," things he heard from others -- is admissible. Knowledge gained from written material may also be hearsay.
- a. Reasons for having the hearsay rule include:\*
- 1) Possibility of distortion or error.
  - 2) Unreliable information, e.g., gossip.
  - 3) Judge or jury cannot evaluate the source of information as well as the person.
  - 4) Cross-examination impossible.
- b. Exceptions to the hearsay rule include:\*\*
- 1) Dying declaration either verbal or written.
  - 2) Tacit admission.
  - 3) Valid confession.
  - 4) Public records which do not require an opinion.
  - 5) Business entries in the regular course of business.
  - 6) Res Gestae--Spontaneous explanations, if spoken as part of the criminal act or immediately following.
  - 7) Former testimony given under oath.

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\*IACP "Training Key" Instructor's Guide #55, p.2.

\*\*IACP "Training Key" #55, p.3.

## ADDITIONAL POLICE SKILLS

OVERALL OBJECTIVE: To develop an understanding of a variety of skills and information which patrolman aides may be expected to use, including 1) defensive tactics, 2) physical conditioning, 3) use of communications equipment, 4) first aid, 5) vehicle operation and maintenance, and 6) major laws, ordinances and regulations of the local jurisdiction.

RECOMMENDATION: It is suggested that the patrolman aide trainees be given instruction in the basic techniques of self-defense, physical conditioning, use of police communications equipment, police first aid, and the operation and maintenance of police vehicles. In addition, they should be familiarized with the major criminal laws, ordinances and regulations of the local jurisdiction. With the exception of the criminal law and related legal controls, the content of the instruction should be essentially the same as that given to the department's police recruits. Instruction in the jurisdiction's laws, ordinances and regulations need be neither as comprehensive nor as thorough as that normally provided police recruits. It should be sufficient to give the aides an introductory knowledge of the major criminal laws and the sanctions which may be imposed for their violation.

SELECTED CONCEPTS AND SUBSTANTIVE ELEMENTS  
RELATED TO THE NEW CAREERS TRAINING MODEL

The concepts and substantive elements listed below represent those underlying the New Careers Training Model on which core group process and its related curriculum are based. Sources used to derive these concepts mainly are those developed over the past few years by the Institute for Youth Studies, Howard University, and other New Careers training programs.

The listing of concepts and substantive elements has as its central aim the belief that there are common ideas about people and their specific and general environments which must be built into and reinforced in any learning situation to achieve New Careers stated outcomes. These common ideas include (1) recognition of the dignity of the individual, (2) his right to self-determination, (3) maximum opportunity for his further development and learning, (4) the experimental basis of learning, (5) and the futility of verbal procedures as a substitute for the personal experiences of the individual.\*

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\*A.D. Woodruff, Basic Concepts of Teaching. San Francisco, Chandler Publishing Co., 1961.



As concepts become increasingly refined and understood by both the trainer and the trainee, the supportive substantive elements also become clearer and easier to apply to the learning process. No attempt has been made to arrange the following list in sequential order. The New Careers Program is a system composed of many complementary parts which interact with each other and which cannot be isolated from each other.

1. Concept: Success in conducting a New Careers training program depends on firm commitments from human service agencies for employment and career mobility for trainees.

Substantive Elements:

- A. Training should start only when firm commitments for jobs have been received from the employing agency.
- B. Prior to training, the employing agency should have a comprehensive job description for each potential position as a base for core, remediation, skill and OJT curriculum development.
- C. Prior to training, the employing agency should have determined realistic career mobility for aides through at least two additional steps with concomitant job descriptions and agency requirements for promotion.

D. Prior to program initiation, there should be a general orientation to the New Careers program for all employing agency staff and trainees.

2. Concept: The optimum New Careers Training Model is experience-based from which flows a series of "core" progressions: a core in a specific human service, and the specific skill and OJT core.

Substantive Elements:

- A. The core of generic human services must stem from the life and job experiences of the trainees.
- B. The total training program should support and underline the responsibilities of the trainees to raise issues and problems.
- C. All succeeding cores are built on the basic core, detailing specific elements in each human service area and specific occupational area.
- D. The experiences of the trainees, prior to and during the training period, are incorporated into the content of the progressions of cores.
- E. The New Careers training program must move from simple to complex elements.
- F. Opportunity is provided for experiencing success, through incremental steps of difficulty.

- G. Trainees are better able to learn generalized principles when they are linked to their own concrete experience and/or observation.
3. Concept: The New Careers Training Model attempts to "screen and keep people in" rather than out of training.

Substantive Elements:

- A. Remediation should be based on the functional needs of the trainee as derived from the job situation.
- B. Remediation should prepare the trainee to take and pass appropriate tests or examinations and obtain the necessary credentials leading to further education and/or career mobility.
- C. Supportive services (medical, dental, legal, day care, etc.) should be provided trainees to help them maintain continuity of training.
- D. Employing agencies must plan for in-service education for aides beyond entry training.
- E. On-going formal education and training for career mobility of human service aides should be incorporated into the normal work week, through released time or work-study programs.
- F. The New Careers training program must accept and build upon the life style of the New Careerist for maximum development of his potential.

- G. The trainee must be helped to become aware of the unique role he plays and the contribution he makes to the training program and agency.
- H. Professional staff involved in New Careers training programs must believe in the value of human service aides and transmit this belief to trainees in the program.
- I. Trainees in New Careers must be adequately compensated during the program.
- 4. Concept: The New Careers Training Model will be most successful when agencies and agency professional personnel restructure their own specific functions and services along with those of New Careerists, involving both the professional and the human service aide in the process.

Substantive Elements:

- A. Training of skill and OJT professional supervisors should parallel that of the trainees and relate to the specific program in which both are involved.
- B. Job development and job description in employing agencies should develop based on the optimum utilization of professionals and aides.

C. At the same time, training curriculum must be revised and updated to support the on-going process of job development.

D. The possibilities of improving services are greater when the responsibilities of the human service aide and the professional complement and supplement one another.

5. Concept: The New Careers Training Model emphasizes individual participation in meaningful and challenging activity in all its elements.

Substantive Elements:

A. Trainers--core, skill, OJT, remediation--must see the trainee as able to make decisions and act responsibly consistent with his own interests and needs.

B. The core group provides a medium for the development of human relations skills and their integration with technical skill and OJT experience.

6. Concept: The New Careers Training Model provides a new way to help people bridge the gap between lack of credentials in a human service occupation and job entry with potential career mobility.

Substantive Elements:

A. The New Careers process enables the trainee to gain



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insights into his capacities as well as his deficiencies as he has the opportunity to test skills and perform tasks.

- B. The community needs to be familiarized with New Careers concepts and programs--i.e., professional groups, business groups, colleges and universities, community action groups, etc.
  - C. Linkage with local junior colleges, colleges and universities should be established to provide for continuing education for human service aides.
7. Concept: New Careers training programs for human service aides are inseparable from the job situation.

Substantive Elements:

- A. Immediate involvement of the trainee in meaningful job-centered experience is critical for overall success.
  - B. Specialty and OJT experience should provide the basis for curriculum in remediation and the springboard for core group discussion.
  - C. The optimum training vehicle for New Careers is an informal, small group.
8. Concept: Entry training is just that amount of training which can best and most feasibly prepare

the trainee to responsibly assume the duties of a human service aide in the shortest amount of time.

Substantive Elements:

- A. The trainee should be scheduled to function in a service-providing capacity as quickly as possible.
  - B. The training program must include those necessary skills as early in training as possible to allow the trainee to assume this service function.
  - C. Prior to training, the job description for the entry job should contain enough detail to reasonably estimate the length of training and responsible involvement of the trainee.
9. Concept: The employing agency must be deeply involved in all phases of planning and implementation of New Careers training programs.

Substantive Elements:

- A. Expectations and regulations pertaining to the training program and employing agency must be clearly defined to all participants at the beginning of the New Careers training program.